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TITLE 6—AGRICULTURAL CREDIT

Chapter III—War Food Administration (Farm Security)

Subchapter A—Administration

[Administration Letter 672]

PART 300—GENERAL

DELEGATION OF AUTHORITY TO REGIONAL DIRECTORS

§ 300.12 *Delegation of authority to regional directors of the Farm Security Administration to sell real and personal property and to execute deeds and other instruments of conveyance, to accept, record, release and satisfy instruments of security, and to perform other functions.* (a) Pursuant to the authority vested in me by the War Food Administrator's Memoradum No. 37, dated March 13, 1944 (9 F.R. 2840), Regional Directors of the Farm Security Administration are hereby authorized on behalf of the United States, in accordance with applicable provisions of FSA instructions and otherwise:

(1) To sell and dispose of all real and personal property or any interests therein under the jurisdiction of the Farm Security Administration, including such property held in trust for State rural rehabilitation corporations and to execute on behalf of the United States all deeds and other instruments necessary in connection with such sales.

(2) To exercise for and on behalf of the United States of America all rights, privileges and powers of the United States of America under the terms of any agreement or instrument heretofore or hereafter entered into in connection with the sale of such land or property or taken as security for the purchase price in connection with such sale; to execute and perform all notices, consents, or other acts to be given or done by the United States under the aforesaid agreements or security instruments; to do and perform all things necessary for servicing, renewing and collecting outstanding indebtednesses in favor of the United States and to accept, record, release and satisfy instruments of security of all kinds and upon default in any payment or obligation, to enforce payment by realizing upon security.

(b) All transactions authorized hereunder shall conform to all applicable requirements of law and all applicable regulations of the Department of Agriculture.

(c) In the absence of the Regional Director of the Farm Security Administration or his inability to carry out the powers and functions hereby delegated, the authority conferred by this delegation may be exercised by the Acting Regional Director of the Farm Security Administration.

(d) This authority shall be effective as of the 27th day of April 1944, and previous delegations of authority relating to matters to which reference is herein made are hereby superseded. All other delegations of authority not in conflict herewith shall remain in full force and effect.

Issued this 27th day of April 1944.

FRANK HANCOCK,
Farm Security Administrator.

[F. R. Doc. 44-6023; Filed, April 27, 1944; 3:25 p. m.]

TITLE 7—AGRICULTURE

Chapter III—Bureau of Entomology and Plant Quarantine

[B. E. P. Q. 493, 3d Rev.]

PART 301—DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE REGULATIONS MODIFIED

Introductory note. This revision of circular B. E. P. Q. 493 is necessitated by the revision, effective May 1, 1944, of the pink bollworm quarantine and regulations, which removed from the regulated area the counties of Roosevelt, N. Mex., and Cochran, Hockley, and the regulated parts of Bailey and Lamb Counties, Tex. These counties are therefore eliminated from the present revision of the circular as no longer subject to any requirements of the quarantine or administrative instructions thereun-

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NOTICE

The Cumulative Supplement to the Code of Federal Regulations, covering the period from June 2, 1938, through June 1, 1943, may be obtained from the Superintendent of Documents, Government Printing Office, at $3.00 per book. The following are now available:

Book 1: Titles 1–3 (Presidential documents) with tables and index.

Book 2: Titles 4–9, with index.

Book 3: Titles 10–17, with index.

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der. The lifting of restrictions on cotton linters produced from sterilized seed, as authorized in the previous revision of this circular, effective October 1, 1942, has been incorporated in the current quarantine regulations as a proviso of paragraph (a) of § 301.52–4.

§ 301.52–4b *Administrative instructions designating the area in which baled cotton lint and products thereof may be moved from certain lightly infested areas in New Mexico and Texas without treatment.* Pursuant to the authority conferred upon the Chief of the Bureau of Entomology and Plant Quarantine by the second proviso of § 301.52, Chapter III, Title 7, Code of Federal Regulations (Notice of Quarantine No. 52, on account of pink bollworm), and having determined that facts exist as to the pest risk involved which make it safe to modify, by making less stringent, the restrictions contained in paragraph (a) of § 301.52–4, notice is hereby given that, effective May 1, 1944, all restrictions are hereby waived on the interstate movement of baled cotton lint and products thereof from the following area:

New Mexico: Lea County.

Texas: Counties of Andrews, Concho, Dawson, Ector, Gaines, Glasscock, Howard, Irion, Martin, Midland, Mitchell, Schleicher, Sterling, Terry, Tom Green, Yoakum, and the regulated part of Coke County: *Provided*, (1) That the products have been produced in an authorized oil mill or gin and subsequently protected from contamination, and (2) that a certificate of the United States Department of Agriculture has been obtained and attached to the containers or shipping papers in accordance with the requirements prescribed in § 301.52–11.

These instructions supersede those in circular B. E. P. Q. 493, dated September 28, 1942.

(Sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 CFR § 301.52; 7 U.S.C. 1940 ed. 161)

Done at Washington, D. C., this 12th day of April 1944.

P. N. ANNAND,
Chief, Bureau of Entomology and Plant Quarantine.

[F. R. Doc. 44-6025; Filed, April 27, 1944; 3:25 p. m.]

[B. E. P. Q.; Q. 52]

PART 301—DOMESTIC QUARANTINE NOTICES

PINK BOLLWORM QUARANTINE

Introductory note. This revision of the quarantine and regulations is made primarily for the purpose of extending the regulated area to include recently found infestations of the pink bollworm in southwestern Louisiana, the Coastal Bend of Texas, and one county in western Texas; also to release from quarantine an area in the Panhandle of Texas and an adjacent county in New Mexico in which no specimens of the pink bollworm have been taken in recent years. The newly added area is comprised of the Louisiana parishes of Cameron, Calcasieu, and part of Jefferson Davis Parish, and the counties of Brazoria, Calhoun, Matagorda, Schleicher, and part of Jackson County, Tex. The area released from regulation is comprised of Roosevelt County, N. Mex., Cochran and Hockley Counties, Tex., and those parts of Bailey and Lamb Counties, Tex., that were formerly within the regulated area.

The lifting of all restrictions on the interstate movement, from any regulated area, of cotton linters produced from

sterilized seed, as previously authorized in circular B. E. P. Q. 493, revised effective October 1, 1942, has been incorporated in the revised regulations as the second proviso of paragraph (a) of § 301.52–4.

Determination of the Secretary of Agriculture

The Secretary of Agriculture, having determined that it was necessary to quarantine the States of Arizona, New Mexico, and Texas to prevent the spread of infestations of the pink bollworm (Pectinophora gossypiella Saunders), a dangerous insect new to and not theretofore widely prevalent or distributed within and throughout the United States, and having given the public hearing required by law, promulgated a revision of Notice of Quarantine 301.52, part 301, chapter III, title 7, Code of Federal Regulations, and regulations supplemental thereto, governing the movement of carriers of the pink bollworm from any of the above-named States into or through any other State or Territory or District of the United States, §§ 301.52–1 to 301.52–12, inclusive, part 301, chapter III, title 7, Code of Federal Regulations [B. E. P. Q.—Q. 52, effective March 15, 1939, as amended effective February 10, 1943].

Because of the discovery of substantial infestations of the pink bollworm in Louisiana, the Secretary of Agriculture, having given a further public hearing in the matter, has determined that it is necessary to quarantine the State of Louisiana and to make other changes in the regulated areas and other minor modifications.

Order of the Secretary of Agriculture

Pursuant to the authority conferred upon the Secretary of Agriculture by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 1940 ed. 161), the subpart entitled "Pink Bollworm" of part 301, chapter III, title 7, Code of Feleral Regulations [B. E. P. Q.—Q. 52, as revised] is hereby further revised, effective May 1, 1944, to read as follows:

SUBPART—PINK BOLLWORM

Sec.

301.52 Notice of Quarantine.
301.52–1 Definitions.
301.52–2 Regulated areas.
301.52–3 Articles the interstate movement of which is restricted or prohibited.
301.52–4 Conditions governing the issuance of certificates.
301.52–5 Limited permits.
301.52–6 Restricted articles originating outside the regulated area.
301.52–7 Cleaning or treating requirements of other articles when contaminated with cotton or cotton products originating within a regulated area.
301.52–8 Dealer-carrier permits.
301.52–9 Cancelation of certificates.
301.52–10 Alternate treatments to be prescribed by the Chief of the Bureau.
301.52–11 General certification provisions and marking and labeling requirements.
301.52–12 Shipments for experimental and scientific purposes.

AUTHORITY: §§ 301.52 to 301.52–12 issued under sec. 8, 39 Stat. 1165, 44 Stat. 250; 7 U.S.C. 1940 ed. 161.

§ 301.52 *Notice of quarantine.* Under the authority conferred by section 8 of the Plant Quarantine Act of August 20, 1912, as amended (7 U.S.C. 1940 ed. 161), the Secretary of Agriculture quarantines the States of Arizona, Louisiana, New Mexico, and Texas to prevent the spread of the pink bollworm. Hereafter (1) fresh okra pods; (2) cotton, wild cotton, including all parts of either cotton or wild cotton plants, seed cotton, cotton lint, linters, and all other forms of unmanufactured cotton fiber, gin waste, cottonseed, cottonseed hulls, cottonseed cake, and meal; (3) bagging and other containers and wrappers of cotton and cotton products; (4) railway cars, boats, and other vehicles which have been used in conveying regulated cotton products or which are fouled with such products; (5) when contaminated with regulated cotton products, any other commodities, including farm products, farm household goods, and farm equipment; shall not be shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved or allowed to be moved from the States of Arizona, Louisiana, New Mexico, or Texas into or through any other State or Territory or District of the United States in manner or method or under conditions other than those prescribed in the regulations hereinafter made and amendments thereto: *Provided*, That the restrictions of this quarantine and of the regulations supplemental hereto may be limited to such areas, now or which may be hereafter designated by the Secretary of Agriculture as regulated areas, in the quarantined States, as in his judgment, shall be adequate to prevent the spread of the said pest. Any such limitation shall be conditioned, however, upon the affected State or States providing for and enforcing the control of the intrastate movement of the restricted articles under the conditions which apply to their interstate movement under existing provisions of the Federal quarantine regulations, and upon their enforcing such control and sanitation measures with respect to such areas or portions thereof as, in the judgment of the Secretary of Agriculture, shall be deemed adequate to prevent the intrastate spread therefrom of the said insect infestation: *Provided further*, That whenever, in any year, the Chief of the Buerau of Entomology and Plant Quarantine shall find that facts exist as to the pest risk involved in the movement of one or more of the articles to which the regulations supplemental hereto apply, making it safe to modify, by making less stringent, the restrictions contained in any such regulations, he shall set forth and publish such finding in administrative instructions, specifying the manner in which the applicable regulation shall be made less stringent, whereupon such modification shall become effective, for such period and for such regulated area or portion thereof as shall be specified in said administrative instructions, and every reasonable effort shall be made to give publicity to such administrative instructions throughout the affected areas.

Regulations

§ 301.52–1 *Definitions.* For the purpose of these regulations the following words, names, and terms shall be construed respectively to mean:

(a) *Pink bollworm.* The insect known as the pink bollworm of cotton (Pectinophora gossypiella Saunders), in any stage of development.

(b) *Cotton and cotton products.* Cotton and wild cotton plants of the genera Gossypium and Thurberia, and products of these plants, including seed cotton; cottonseed; cotton lint and linters, and all forms of unmanufactured cotton fiber; cottonseed hulls, cake, and meal; gin waste; and all other parts of such plants.

(c) *Seed cotton.* All forms of cotton lint from which the seed has not been separated.

(d) *Lint.* All forms of unmanufactured cotton fiber except linters.

(e) *Linters.* All forms of unmanufactured cotton fiber separated from cottonseed after the lint has been removed.

(f) *Certificate.* An approved document issued by an inspector evidencing the apparent freedom of restricted articles from the pest.

(g) *Limited permit.* An approved document issued by an inspector to allow movement of noncertified, restricted articles to or from authorized and designated gins, oil mills, and processing or manufacturing plants. Limited permits will cover all interstate movements of restricted articles while in the process of being made eligible for certification.

(h) *Dealer-carrier permit.* An approved document issued to persons or firms engaged in ginning, manufacturing, or processing restricted articles for subsequent interstate movement from regulated areas, and to persons or firms moving restricted articles interstate from regulated areas.

(i) *Infestation or infested area.* Infested by the pink bollworm.

(j) *Moved or movement.* Shipped, offered for shipment to a common carrier, received for transportation or transported by a common carrier, or carried, transported, moved, or allowed to be moved by any person from any regulated area interstate to points outside thereof.

(k) *Inspector.* An authorized inspector of the United States Department of Agriculture.

§ 301.52–2 *Regulated areas.* The following areas are hereby designated as regulated areas within the meaning of these regulations and are further classed as heavily or lightly infested:

HEAVILY INFESTED AREAS

Texas. Counties of Brewster, Culberson, Jeff Davis, Presidio, and Terrell, and all of *Hudspeth County*, except that part of the northwest corner of county lying north and

west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½.

LIGHTLY INFESTED AREAS

Arizona. Counties of Cochise, Graham, Greenlee, Maricopa, Pinal, and Santa Cruz, and all of Pima County[1] except that part lying west of the western boundary line of range 8 east.

Louisiana. The entire parishes of Cameron and Calcasieu and that part of Jefferson Davis Parish lying south of the township line between Tps. 8 and 9 S.

New Mexico. Counties of Chaves, Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Otero, Sierra, Socorro, and Valencia.

Texas. Counties of Andrews, Brezoria, Brooks, Calhoun, Cameron, Concho, Crane, Dawson, Dimmit, Duval, Ector, El Paso, Frio, Gaines, Glasscock, Hidalgo, Howard, Irion, Jim Hogg, Jim Wells, Kenedy, Kleberg, La Salle, Loving, Martin, Matagorda, Maverick, Midland, Mitchell, Nueces, Pecos, Reeves, Schleicher, Starr, Sterling, Terry, Tom Green, Upton, Ward, Webb, Willacy, Winkler, Yoakum, Zapata, and Zavala; that part of *Coke County* lying southwest of and including the right-of-way of Highway No. 87; that part of the northwest corner of *Hudspeth County* lying north and west of a ridge of desert land extending from the banks of the Rio Grande northeasterly through the desert immediately west of the town of McNary, such ridge being an extension of the northwest boundary line of section 11, block 65½; that part of *Jackson County* lying south of a line beginning at a point where East Carancahua Creek crosses the Jackson-Matagorda County line; thence southwestward along East Carancahua Creek and Carancahua Bay to the southeast corner of a 2,408-acre tract belonging to L. Ward out of the James Pierce survey; thence west along the south line of the above-described Ward tract to the east line of the James Morgan survey; thence north along the east line of the James Morgan survey about 1,660 varas to the northeast corner of the 1,943-acre league out of the James Morgan survey owned by the Mrs. Addie Coats' Estate; thence west along the north line of the above-described league owned by the Mrs. Addie Coats' Estate to the left (east) bank of the Lavaca River; thence southward along the left bank of the Lavaca River and Lavaca Bay to the Calhoun-Jackson County line (that part of the line from the East Carancahua Creek and Carancahua Bay to the Lavaca River being the northern boundary of the B. F. Ward School District (No. 15) of Jackson County); and those parts of *Live Oak* and *McMullen Counties* lying west of U. S. Highway No. 281 and south of a line beginning at a point on said highway that is crossed by Long Hollow (which point is approximately 9 miles north of the Live Oak-Jim Wells County line) and extending due west to a point where it intersects the western boundary of McMullen County.

§ 301.52–3 *Articles the interstate movement of which is restricted or prohibited—*(a) *Articles prohibited movement.* The interstate movement from any regulated area of gin trash and cotton waste from gins and mills, and all untreated or unmanufactured cotton products other than seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, and cottonseed meal and cake is prohibited.

(b) *Articles authorized interstate movement.* Seed cotton, cotton lint and linters, either baled or unbaled, cottonseed, cottonseed hulls, cottonseed meal and cake, and okra may be moved interstate from regulated areas only as prescribed herein.

§ 301.52–4 *Conditions governing the issuance of certificates—*(a) *Cotton lint and linters.* A certificate may be issued for the interstate movement of cotton lint or linters, either baled or unbaled, originating in a regulated area when they have been ginned in an approved gin and have been passed in bat form between heavy steel rollers set not more than 1/64 inch apart, or have been given approved vacuum fumigation under the supervision of an inspector: *Provided,* That lint produced in a lightly infested area may be given standard or high density compression in lieu of either rolling or fumigation: *Provided further,* That no certificates are required and no restrictions are placed on the interstate movement from any regulated area of cotton linters produced from sterilized seed.

(b) *Cotton seed.* A certificate may be issued for the interstate movement of cottonseed produced in a regulated area when it has been ginned in an approved gin and has been sterilized under the supervision of an inspector by heat treatment at a required temperature of 150° F. for a period of 30 seconds: *Provided,* That certificates may be issued for interstate movement of sterilized cottonseed originating in heavily infested areas only to contiguous regulated areas for processing in authorized oil mills.

(c) *Cottonseed hulls, cake, and meal.* Certificates may be issued for the interstate movement of cottonseed hulls, cake, and meal produced from sterilized seed originating in a regulated area when these products have been processed in an authorized oil mill under the supervision of an inspector.

(d) *Seed cotton.* The interstate movement of seed cotton will be allowed only from lightly infested areas into contiguous regulated areas for the purpose of ginning for which movement no permit is required.

(e) *Okra.* Certificates may be issued for the interstate movement of okra under any one of the following conditions: (1) When inspected by an inspector and found to be free from infestation; (2) when produced under such conditions as to render it free from infestation; (3) when processed or treated in accordance with methods which may be determined and approved by the Chief of the Bureau of Entomology and Plant Quarantine.

(f) *Movement to contiguous infested area.* No certificates are required for the interstate movement of restricted articles from a lightly infested area to a contiguous, lightly or heavily infested area, or from a heavily infested area to a contiguous heavily infested area.

§ 301.52–5 *Limited permits.* Limited permits will be issued for the movement of uncertified, restricted articles to such gins, oil mills, or processing or manufacturing plants as may be authorized and designated by authority of the Chief of the Bureau of Entomology and Plant Quarantine for manufacturing, processing, or treatment incidental to preparing such products for certification. As a condition of such authorization and designation, operators of gins, oil mills, manufacturing, or processing plants will agree in writing to handle restricted articles as to segregation of processed and nonprocessed products, as to efficient function of processing equipment, as to disposition of waste, as to use of uncontaminated containers of processed products, as to prevention of contamination of processed products, as to the maintenance of identity of regulated and nonregulated products, and to maintain such other sanitary safeguards against the establishment and spread of infestation and to comply with such other restrictions as to the handling and subsequent movement of restricted articles as may be required by the inspector.

§ 301.52–6 *Restricted articles originating outside the regulated area.* Restricted articles originating outside the regulated area may be certified for interstate movement from a regulated area without processing, treatment, or sterilization: *Provided,* That while in the regulated area these products have been handled and stored in such manner as to maintain identity, and as to prevent infestation, or contamination with other restricted articles originating in the regulated area.

§ 301.52–7 *Cleaning or treating requirements of other articles when contaminated with cotton or cotton products originating within a regulated area.* When contaminated with cotton or cotton products originating wtihin a regulated area, railway cars, trucks, or other vehicles, cotton bagging, or other containers of cotton, cotton processing machinery, farm household goods, farm equipment, farm products, or any other articles shall not be moved interstate from a regulated area until freed from such contamination to the satisfaction of an inspector, after which cleaning or treatment no certificate or permit will be required except for cotton bagging, or other containers of cotton, and cotton processing machinery.

§ 301.52–8 *Dealer-carrier permits.* As a condition of issuance of certificates or limited permits for the interstate movement of restricted articles handled by persons or firms engaged in purchasing, assembling, ginning, processing, or carrying such restricted articles originating or stored in regulated areas, such persons or firms shall make application for a dealer-carrier permit to the Bureau of Entomology and Plant Quarantine, San Antonio, Tex., and agree to maintain an accurate record of receipts and sales, shipments or services, when so required (which record shall be available at all times for examination by an inspector), and agree to carry out any and all conditions, treatments, precautions, and sanitary measures which may be required.

[1] Part of the lightly infested area in Arizona is regulated on account of the Thurberia weevil under quarantine No. 61, and shipments therefrom must comply with the requirements of that quarantine.

§ 301.52–9 *Cancelation of certificates.* Any certificates, limited permits, or dealer-carrier permits issued under these regulations may be withdrawn or canceled and further certificates or permits refused, whenever, in the judgment of the Bureau of Entomology and Plant Quarantine, the further use of such certificates or permits might result in the dissemination of the pink bollworm.

§ 301.52–10 *Alternate treatments to be prescribed by the Chief of the Bureau.* When more effective methods of treatment, processing, or sterilization shall have been developed or when methods of treatment, processing, or sterilization as stipulated in the regulations hereof are found unsatisfactory by the Chief of the Bureau of Entomology and Plant Quarantine, he is authorized to alter them or substitute other requirements.

§ 301.52–11 *General certification provisions and marking and labeling requirements.* To obtain certificates or limited permits under these regulations application shall be made either to the local inspector or to the Bureau of Entomology and Plant Quarantine, Federal Building, San Antonio, Tex.[2]

Certificates or permits required under these regulations shall be securely attached to the outside of each container of restricted articles, or, in the case of carlot or bulk shipments by freight, to the waybills or other shipping papers which accompany the shipment. In the case of movement by road vehicle, such certificate or permit shall accompany the vehicle. Each container of restricted articles so moved shall bear such marking and labeling as may be necessary, in the judgment of the inspector, to identify the material.

The United States Department of Agriculture shall not be responsible for any costs incident to inspection or treatment, other than the services of inspectors.

§ 301.52–12 *Shipments for experimental and scientific purposes.* Products and articles subject to restriction in these regulations may be moved interstate for experimental or scientific purposes, on such conditions and under such safeguards as may be prescribed by the Chief of the Bureau of Entomology and Plant Quarantine. The container of articles so moved shall bear securely attached to the outside thereof, an identifying tag from the Bureau of Entomology and Plant Quarantine showing compliance with such conditions.

This revision of the quarantine and regulations shall be effective on and after May 1, 1944, and shall supersede the quarantine and regulations promulgated March 7, 1939, and amendments thereto.

Done at Washington, D. C., this 27th day of April, 1944.

Witness my hand and the seal of the United States Department of Agriculture.

GROVER B. HILL,
Acting Secretary of Agriculture.

[2] See Appendix for list of field stations.

APPENDIX—FIELD HEADQUARTERS AND STATIONS

Applications for certificates or permits may be made to the field project leader, addressing Pink Bollworm Control, Bureau of Entomology and Plant Quarantine, P. O. Box 798, or Room 571 Federal Building (Telephone F–7141–275), San Antonio 6, Tex., or the nearest inspector.

Inspectors may be reached by addressing Pink Bollworm Inspector, Bureau of Entomology and Plant Quarantine, at the following field stations:

ARIZONA

Address	Town	Telephone
P. O. Box 205, 405 North Morrison St.	Casa Grande	274
P. O. Box 262, 628 East Glendale.	Glendale	254
202 Security Bldg	Phoenix	4-4062
P. O. Box 246, 309 Post Office Bldg.	Safford	132
P. O. Box 924, 311 Post Office Bldg.	Tucson	1-960

LOUISIANA

Contact the State Entomologist, Mr. W. E. Anderson, P. O. Box 4153, Capitol Station, Baton Rouge 4, La.

NEW MEXICO

P. O. Box 784, 210 North Canyon St.	Carlsbad	513–W
P. O. Box 849	Las Cruces	298

TEXAS

P. O. Box 482, Beilen & Charles Bldg.	Alice	970
P. O. Box 840, 217 Fuller Bldg.	Alpine	30
P. O. Box 108	Bay City	595
P. O. Box 269, 23 Post Office Bldg.	Big Spring	1564
P. O. Box 109	Brownfield	
843 Southeast Elizabeth St.	Brownsville	327
623 Nixon Bldg	Corpus Christi	2-7613
P. O. Box 432, 207 West Harriman St.	Edinburg	18
204 U. S. Courthouse	El Paso	Main-3295
P. O. Box 27	Fabens	54
P. O. Box 592, 423 Embee Bldg.	Harlingen	616
P. O. Box 67, Post Office Bldg.	Lamesa	138–J
P. O. Box 141, 206 Franklin Bldg.	Laredo	930
P. O. Box 888, 712 West First St.	Littlefield	339–W
P. O. Box 1615, 209 Federal Bldg.	Lubbock	5001
P. O. Box 1094, 1308 Chicago Ave.	McAllen	663
P. O. Box 485	Mercedes	
P. O. Box, 158, 306 Federal Bldg.	Pecos	57
P. O. Box 264	Port Lavaca	
P. O. Box 928	Presidio	14
P. O. Box 706, 253 South Seventh St.	Raymondville	258
P. O. Box 1107	Robstown	127
P. O. Box 650, 507 Rust Bldg.	San Angelo	6338
P. O. Box 1963, 636 South Sam Houston St.	San Benito	730
P. O. Box 426, 107½ Fourth St.	Weslaco	

[F. R. Doc. 44–6024; Filed, April 27, 1944; 3:25 p. m.]

Chapter XI—War Food Administration (Distribution Orders)

[WFO 1, Amdt. 1]

PART 1404—BAKERY PRODUCTS

ENRICHMENT OF WHITE BREAD AND ROLLS

War Food Order No. 1, as amended (8 F.R. 16777, 9 F.R. 599), is further amended as follows:

1. By deleting (a) (6) and substituting in lieu thereof the following:

(6) "White bread" means any bread, whether baked in a pan or on a hearth or screen, which is commonly known or usually represented and sold as white bread, including, but not restricted to, Vienna bread, French bread, and Italian bread.

2. By deleting (d) and substituting in lieu thereof the following:

(d) *Enrichment.* (1) No baker shall make or sell any white bread or rolls not containing the following ingredients in the quantities specified:

(i) Thiamin: Not less than 1.1 nor more than 1.8 milligrams per pound;

(ii) Niacin: Not less than 10.0 nor more than 15.0 milligrams per pound;

(iii) Riboflavin: Not less than 0.7 nor more than 1.6 milligrams per pound; and

(iv) Iron: Not less than 8.0 nor more than 12.5 milligrams per pound.

(2) No person shall sell any imported white bread or rolls unless they contain the ingredients listed under (d) (1) hereof in the quantities therein specified.

This amendment shall become effective at 12:01 a. m., e. w. t., May 1, 1944.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under War Food Order No. 1, as amended, prior to the effective date of this amendment, all provisions of War Food Order No. 1, as amended, in effect prior to this amendment shall be deemed in full force and effect for the purposes of sustaining any proper suit, action, or other proceeding with respect to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 25th day of April 1944.

WILSON COWEN,
Assistant War Food Administrator.

[F. R. Doc. 44–5950; Filed, April 26, 1944; 1:11 p. m.]

[WFO 69–1, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

DELEGATION OF AUTHORITY

War Food Order No. 69–1 (originally issued as Food Distribution Order No. 69–1, 8 F.R. 13552; and redesignated as War Food Order No. 69.1, 9 F.R. 4319) is hereby amended to read as follows:

§ 1405.32 *Delegation of authority*—(a) *Definitions.* (1) "Order" means War Food Order No. 69, as amended (originally issued as Food Distribution Order No. 69, 8 F.R. 10477; as amended, 8 F.R. 13549; and redesignated as War Food Order No. 69).

(2) Each term defined in the order shall, when used herein, have the same meaning as set forth in said order.

(3) "Order Administrator" means the person designated by the Director to serve as Order Administrator or alternate for the Order Administrator.

(b) *Delegation of authority.* In accordance with the provisions of the order, there is hereby delegated the following authority:

(1) The Order Administrator shall exercise the authority conferred upon the Director by the provisions of § 1405.13 (b) (1) (i) of the order only with respect to the issuance of any special authorization.

(2) The issuance of any special authorization, in accordance with the provisions of § 1405.13 (b) (1) (ii) of the order by the chairman or secretary of a County AAA Committee, shall be under the supervision of the Order Administrator.

(3) Under the supervision of, and in accordance with instructions from, the Order Administrator, each regional authorization officer, designated by the Director, of the respective regional office of the Office of Distribution, War Food Administration, serving the area (8 F.R. 15764) in which a particular lot of fruit is located, is authorized to release, by special authorization, such fruit for use in the production for sale of any product containing 7 percent, or more, of alcohol, by volume, if such authorization officer determines that no market is available for such fruit for human consumption except when the fruit is used in the production for sale of such alcoholic product: *Provided*, That if such authorization officer determines that no market is available because the fruit is unsuitable for human consumption except when used in the production of such alcoholic product, such fruit shall not be released if the owner, or any previous owner, of the fruit failed to exercise either reasonable care to prevent such fruit from becoming unsuitable for human consumption, as aforesaid, or reasonable efforts to dispose of or utilize such fruit prior to its becoming unsuitable for human consumption, as aforesaid.

(c) *Retention of authority by the Director.* Nothing herein contained shall be construed to abrogate any powers or authority vested in the Director by the order; and any release, as aforesaid, of a particular lot of fruit, shall be subject to such additional or other conditions as the Director may hereafter, from time to time, specify.

(d) *Effective date.* The provisions hereof shall become effective at 12:01 a. m., e. w. t., May 1, 1944.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 25th day of April 1944.

LEE MARSHALL,
Director of Distribution.

[F. R. Doc. 44-5952; Filed, April 26, 1944; 1:11 p. m.]

[WFO 69, Amdt. 1]

PART 1405—FRUITS AND VEGETABLES

FRUIT FOR ALCOHOLIC PURPOSES

War Food Order No. 69 (originally issued as Food Distribution Order No. 69, 8 F.R. 10477; as amended, 8 F.R. 13549; and redesignated as War Food Order No. 69, 9 F.R. 4319) is hereby amended so as to read as follows:

§ 1405.13 *Restrictions relative to the use of fruit*—(a) *Definitions.* (1) "Fruit" means any one or more of the following whether fresh or processed (including, but not being limited to, dried, canned, frozen, or partially processed), and whether produced in or imported into the United States: apples, apricots, cherries, currants, Concord grapes, dates, peaches, pears, pineapple, plums, prunes, blackberries, blueberries, Boysenberries, dewberries, gooseberries, huckleberries, Johnsonberries, Loganberries, Olympic berries, raspberries, strawberries, Youngberries, and such other fruits as the Director may hereafter designate. This term also means the juice of fruit.

(2) "Imported" means brought into the United States from a foreign country or any Territory or Possession of the United States.

(3) "Concord grapes" means any one or more of the following Concord type grapes: Concord, Early Concord, Cottage, Eaton, Fredonia, Hicks, King, Moore Early, Rockwood, and Worden.

(4) "County AAA Committee" means a county agricultural conservation committee established in accordance with the provisions in 16 U.S.C., 1940 ed., Sup. I. 590h (b).

(5) "Pharmaceutical preparation" means any drug or combination of drugs compounded for medicinal use.

(6) "Person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(7) "Lot of fruit" means a quantity of a particular kind of fruit.

(8) "Special authorization" means an authorization issued to a designated person permitting such person to use a designated lot of fruit for a specified purpose.

(9) "General authorization" means an authorization issued by the Director applicable to any area, specified by the Director, permitting the use of fruit of a specified kind, variety, type, grade, or quantity for a specified purpose.

(10) "Director" means the Director of Distribution, War Food Administration.

(11) "United States" means the 48 States of the United States and the District of Columbia.

(b) *Restrictions.* (1) Except as provided in (b) (2) hereof, no person shall use fruit in the production for sale of any product containing 7 percent, or more, of alcohol, by volume, unless authorized to use such fruit for such purpose (i) pursuant to a special or general authorization issued by the director or (ii) pursuant to a special authorization issued by the chairman or, in his absence, the secretary of the County AAA Committee in the county where such fruit is available. An authorization, as aforesaid, by the chairman or the secretary of the respective County AAA Committee shall be issued only with respect to a particular lot of fruit which is in fresh form and is still owned by the grower thereof, if such chairman or secretary determines that no market is available for such fruit for human consumption except when used in the production for sale of a product containing 7 percent, or more, of alcohol, by volume: *Provided*, That if the chairman or secretary of the respective County AAA Committee determines that no market is available because the fruit is unsuitable for human consumption except when used in the production of such alcoholic product, such fruit shall not be released if the grower thereof failed to exercise reasonable care to prevent such fruit from becoming unsuitable for human consumption, as aforesaid, or reasonable efforts to dispose of or utilize such fruit prior to its becoming unsuitable for human consumption, as aforesaid. The issuance of any special authorization in accordance with (b) (1) (ii) hereof, to use a particular lot of fruit, shall be under the supervision of the director and subject to such additional or other conditions as the director may, from time to time, specify.

(2) The provisions of this order shall not prohibit any person from (i) using fruit in the manufacture of flavoring for food or flavoring for pharmaceutical preparations; (ii) using fruit in the production, by the addition of alcohol or a product containing alcohol, of flavoring, flavoring extract, or flavoring concentrate, for food, or flavoring, flavoring extract, or flavoring concentrate for pharmaceutical preparations; or (iii) using any flavoring, flavoring extract, or flavoring concentrate, manufactured or produced as aforesaid.

(3) No person shall sell or deliver fruit with knowledge or reason to believe that such fruit or any portion thereof thus sold or delivered is to be used in violation of this order.

(4) The provisions of this order and of any regulations or orders issued in pursuance hereof shall be observed without regard to contracts heretofore or hereafter entered into or any rights accrued or payments made thereunder.

(c) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises, stocks of fruit, or products containing alcohol, of any person, and to make such investigations, as may be necessary or appropriate, in the Director's discretion, for the enforcement or administration of the provisions of this order.

(d) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in the Director's discretion, for the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in fruit and products containing alcohol.

(e) *Petition for relief from hardship.* Any person affected by this order who considers that compliance herewith would work an exceptional or unreasonable hardship on him may file a petition

for relief with the administrator of this order. Such petition shall be addressed to Order Administrator, War Food Order No. 69, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C. Petition for such relief shall be in writing and shall set forth all pertinent facts and the nature of the relief sought. The Order Administrator may take any action with reference to such petition which is consistent with the authority delegated to him by the Director. If the petitioner is dissatisfied with the action taken by the Order Administrator on the petition, he shall, by requesting the Order Administrator therefor, obtain a review of such action by the Director. The Director may, after said review, take such action as he deems appropriate, and such action shall be final. The provisions of this paragraph (e) shall not be construed to deprive the Director of authority to consider originally any petition for relief from hardship submitted in accordance herewith. The Director may consider any such petition and take such action with reference thereto that he deems appropriate, and such action shall be final.

(f) *Violations.* Any person who violates any provision of this order may, in accordance with the applicable procedure, be prohibited from receiving, making any deliveries of, or using fruit, or any other material subject to priority or allocation control by any governmental agency. In addition, any person who wilfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(g) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(h) *Territorial extent.* The provisions of this order shall apply only within the United States.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless instructions to the contrary are issued by the Director, be addressed to the Order Administrator, Fruit and Vegetable Branch, Office of Distribution, War Food Administration, Washington 25, D. C., Ref. WF–69.

(j) *Effective date.* This order shall become effective at 12:01 a. m., e. w. t., May 1, 1944. With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 69, prior to the effective date of the provisions hereof, the provisions of War Food Order No. 69 in effect prior to the effective date of this order shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

NOTE: All record-keeping requirements of this order have been approved by, and subsequent reporting and record-keeping requirements will be subject to the approval of, Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783)

Issued this 25th day of April 1944.

GROVER B. HILL,
First Assistant War Food Administrator.

[F. R. Doc. 44–5951; Filed, April 26, 1944; 1:11 p. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter VII—Personnel

PART 70—ARMY NURSES, DIETITIANS AND PHYSICAL THERAPY AIDES

DIETITIANS AND PHYSICAL THERAPY AIDES

Paragraph (c) of § 70.23 (8 F.R. 7525) is amended by the addition of subparagraph (8), as follows:

§ 70.23 *Appointment and promotion.* * * *

(c) *Original appointment.* * * *

(8) The provisions of subparagraphs (1) to (7), of this paragraph (c), may be waived in the cases of those persons who are prisoners of war or internees of an enemy. Such appointments will be effective as of the date announced. Upon return to the United States of any individual appointed under this authority, confirmation of the appointment will be obtained or discharge effected. (56 Stat. 1072; 10 U.S.C. Sup. 81) [Par. 5*c*, AR 40–25, 9 April 1943, as amended by W. D. Cir. 162, 25 April 1944]

[SEAL] ROBERT H. DUNLOP,
Brigadier General, Acting The Adjutant General.

[F. R. Doc. 44–6031; Filed, April 28, 1944; 10:08 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 4865]

PART III—DIGEST OF CEASE AND DESIST ORDERS

GOLD MEDAL HAARLEM OIL CO.

§ 3.6 (t) *Advertising falsely or misleadingly; qualities or properties of product or service:* § 3.6 (y) *Advertising falsely or misleadingly; safety:* § 3.71 (e) *Neglecting, unfairly or deceptively, to make material disclosure; safety.* In connection with offer, etc., of respondents' "Gold Medal Haarlem Oil Capsules" or any other similar preparation, disseminating, etc., any advertisement by means of the United States mails, or in commerce, or by any means, to induce, etc., directly or indirectly, purchase in commerce, etc., of respondents' said medicinal preparation, which advertisement (1) represents, directly or through inference, that said preparation (a) is safe or harmless; (b) will flush excess waste matters from the kidneys, or that it will keep the blood free from waste matters, poisons or acids; (c) is an effective and competent treatment for conditions described as weak kidneys or irritations of the bladder, or that its use will restore the kidneys or bladder to a state of healthy activity; (d) will give relief from scanty, burning or smarting urine, or that it will stimulate the functions of the kidneys, or clean out kidneys described as having become clogged; (e) is an effective treatment for conditions described as scanty, burning and smarting urine passage, aches, pains, joint agony, sciatica, neuritis, neuralgia, lumbago, rheumatism, backache, nervousness, leg cramps, getting up at nights, moist palms, puffy eyes, nagging pains, dizzy, spells, or swollen ankles, or that such conditions are symptomatic of ailments or diseased conditions which are treated successfully by the use of said preparation; and (f) is a remedy or cure for ailments or diseases of the human kidneys or that it has any therapeutic value in the treatment of diseased or injured kidneys; and (2) fails to reveal that the indiscriminate use of said preparation by persons whose kidneys are injured or diseased, may interfere with their proper functioning, and that prolonged administration may injure kidneys that are normal; prohibited; subject to the provision, however, that such advertisements need contain only the statement, "Caution: Use only as directed", if and when the directions for use wherever they appear on the label, in the labeling, or both, contain a warning to the above effect. (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U.S.C., sec. 45b) [Cease and desist order, Gold Medal Haarlem Oil Company, Docket 4865, April 13, 1944]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 13th day of April, A. D. 1944.

In the Matter of Leonard Block, Melvin Block and Betty Roberts, Trading as Gold Medal Haarlem Oil Company

This proceeding having been heard by the Federal Trade Commission upon the complaint of the Commission, the answer of respondents, and a stipulation as to the facts entered into by the respondents herein and Richard P. Whiteley, Assistant Chief Counsel of the Commission, which provides, among other things, that without further evidence or other intervening procedure the Commission may issue and serve upon the respondents herein findings as to the facts and conclusion based thereon and an order disposing of the proceeding, and the Commission having made its findings as to the facts and conclusion, that said respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That the respondents Leonard Block, Melvin Block and Betty Roberts, individually, and trading as Gold Medal Haarlem Oil Company, or trading under any other name or names,

their representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of the medicinal preparation designated "Gold Medal Haarlem Oil Capsules", or any other medicinal preparation composed of substantially similar ingredients or possessing substantially similar properties, whether sold under the same name or under any other name or names, do forthwith cease and desist from:

Disseminating, or causing to be disseminated, any advertisement by means of the United States mails, or by any means in commerce, as "commerce" is defined in the Federal Trade Commission Act, or disseminating, or causing to be disseminated, any advertisement by any means for the purpose of inducing, or which is likely to induce, directly or indirectly, the purchase in such commerce of said medicinal preparation, which advertisement—

(1) Represents, directly or through inference, that said preparation

(a) Is safe or harmless;

(b) Will flush excess waste matters from the kidneys, or that it will keep the blood free from waste matters, poisons or acids;

(c) Is an effective and competent treatment for conditions described as week kidneys or irritations of the bladder, or that its use will restore the kidneys or bladder to a state of healthy activity;

(d) Will give relief from scanty, burning or smarting urine, or that it will stimulate the functions of the kidneys, or clean out kidneys described as having become clogged;

(e) Is an effective treatment for conditions described as scanty, burning and smarting urine passage, aches, pains, joint agony, sciatica, neuritis, neuralgia, lumbago, rheumatism, backache, nervousness, leg cramps, getting up at nights, moist palms, puffy eyes, nagging pains, dizzy spells, or swollen ankles, or that such conditions are symptomatic of ailments or diseased conditions which are treated successfully by the use of said preparation.

(f) Is a remedy or cure for ailments or diseases of the human kidneys or that it has any therapeutic value in the treatment of diseased or injured kidneys.

(2) Fails to reveal that the indiscriminate use of said preparation by persons whose kidneys are injured or diseased, may interfere with their proper functioning, and that prolonged administration may injure kidneys that are normal: *Provided however*, That such advertisements need contain only the statement, "Caution: Use only as directed", if and when the directions for use wherever they appear on the label, in the labeling, or both, containing a warning to the above effect.

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL] OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 44-6059; Filed, April 28, 1944; 11:35 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 944—REGULATIONS APPLICABLE TO THE OPERATIONS OF THE PRIORITIES SYSTEM

[Priorities Reg. 1, Direction 1]

CHANGES MADE BY CUSTOMERS IN ORDERS PLACED WITH MANUFACTURERS

The following direction is issued pursuant to Priorities Reg. 1:

(a) This direction tells what happens when a customer, having placed a rated order with a manufacturer, wishes to make a change in that order.

(b) The general rule is that any change in a customer's order constitutes a cancellation of the earlier order and must be considered as a new order received on the date of the change if (but only if) the change will require the manufacturer to interfere with his production. For example:

(1) A change in shipping destination does not constitute the placing of a new order.

(2) An increase in the total amount ordered is a new order to the extent of the increase unless it can be filled with only a negligible interference with sequence of later orders.

(3) A change in the date of the delivery, whether advanced or deferred, when made by the customer is a new order if it interferes with production, or delays delivery on an equal or higher rated order.

(4) Mere substitution of one allotment number for another, where there is no change in the accompanying rating, is not considered to be the placing of a new order.

(5) A change in preference rating will not constitute a new order. Treatment of the new rating is governed by the provisions of Priorities Regulation No. 12.

(6) A reduction in the total amount ordered will presumably not require a change in the manufacturer's schedule and will not constitute a new order. If the quantity is reduced below a minimum production quantity, the manufacturer may insist on the delivery of not less than the minimum production quantity as explained in Interpretation No. 7. If the customer is not willing to order that amount, the manufacturer may reject the order. The manufacturer may not discriminate between customers in requiring delivery of minimum production amounts or in rejecting orders.

(7) When the customer directs the manufacturer to hold or suspend production without specifying a new delivery date, the order must be considered cancelled. If requested to do so within ten days after receiving such an instruction, the manufacturer must reinstate the order as nearly as possible to its former place in his proposed schedule of deliveries as long as the reinstatement does not cause loss of production or delay in the scheduled deliveries on equal or higher rated orders. Any request for reinstatement made after ten days shall be treated as the placing of an entirely new order. The rule with respect to the effect of a request for reinstatement of an order which was part of a frozen schedule is stated in paragraph (d) of Priorities Regulation 18.

(8) Where minor variations in size, design, capacity, etc., are requested by the customer and can be arranged by the manufacturer without interfering with his production, such changes do not constitute a new order.

(c) Where a change in an order constitutes a new order the conditions existing at the time the changes are received govern the acceptance of the order and its sequence in delivery under the rules of Priorities Regulation No. 1. If a customer changes his order in such a way as to constitute a new order, but finds that as a new order it will not be scheduled for delivery at the time required by the customer, he may, if he likes, request reinstatement of his original order within the time and manner provided in paragraph (b) (7) above.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6048; Filed, April 28, 1944; 11:20 a. m.]

PART 1029—FARM MACHINERY

[Limitation Order L-257, Direction 2]

SALES OF WHEEL-TYPE TRACTORS FOR INDUSTRIAL USE WITH CONSTRUCTION MACHINERY ATTACHMENTS

The following direction is issued pursuant to Limitation Order L-257:

(a) *Purpose and scope.* Paragraph (f) (2) of Limitation Order L-257 (§ 1029.15) prohibits the sale for non-farm use of most machinery and equipment covered by that order unless the buyer has a rating of AA-4 or higher. If the buyer has no rating, he usually must apply for one on Form WPB-541 (PD-1A). This direction requires that any one who wants to buy a wheel-type tractor for use with construction machinery attachments must apply on Form WPB-1319 for approval to buy it and any necessary rating; he should use the same Form WPB-1319 that he uses in applying for the attachments under Order L-192. "War agencies" are treated the same as they are under L-192.

This direction covers only sales and deliveries to the ultimate user who wants to buy wheel-type tractors plus construction machinery attachments for non-farm use. All other sales of wheel-type tractors for non-farm use are governed by paragraph (f) (2) of L-257.

(b) *Restrictions on sale.* Except where the buyer is a "war agency", on and after May 12, 1944, no person may sell or deliver, and no person may buy or accept delivery of, any new wheel-type tractor for use with new construction machinery attachments covered by Schedule A of Limitation Order L-192, without specific approval of the War Production Board. Application for this approval, including both the tractor and the construction machinery attachments, should be made

by the prospective buyer on a single Form WPB–1319 in accordance with the current instructions for the form. He must file the application in quintuplicate with the WPB regional office in the region in which he desires to use the tractor and attachments. This application when approved will state all conditions under which the purchase order may be placed with the seller, including the assignment of any necessary preference rating.

(c) *Sales to "war agencies".* If the buyer of the tractor is a "war agency", as defined in Order L–192, it does not have to get specific approval under this direction. However, when it files information copies of Form WPB–1319 under paragraph (d) (1) (iii) of L–192 covering its purchase of the construction machinery attachments, it must on the same form identify the tractor to be purchased.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6043; Filed, April 28, 1944; 11:19 a. m.]

PART 1255—INVENTORY RESTRICTION EXCEPTIONS

[General Inventory Order M–161, as Amended Apr. 28, 1944]

§ 1255.1 *General Inventory Order M–161*—(a) *What this order does.* This order excepts certain materials from inventory restrictions and from limits on the purchase of maintenance, repair, and operating supplies. The exception is made in some cases because there is no serious shortage of the material and in other cases because the material is available in quantity only in certain seasons, so that it is desirable to permit persons to buy and store it without limit.

(b) *Exception to inventory restrictions.* Section 944.14 of Priorities Regulation 1, which restricts inventory to a practicable working minimum, does not apply to the materials listed on Schedule A. Each of these materials is also exempted from all inventory restrictions in any other regulation or order of the War Production Board unless they expressly mention the material.

(c) *Exemption from restrictions on maintenance, repair, and operating supplies.* The materials listed on Schedule A are not subject to any restrictions in any regulation or order of the War Production Board which limit the quantity of material received or ordered for maintenance, repair, or operating supplies during any period on the basis of the amount of such supplies purchased during a base period. A person may receive or order for delivery any quantity of listed materials without regard to these restrictions. He does not have to charge his orders for any such material against his base-period quota except to the extent that purchases of the same material were taken into account in arriving at his quota. For example, a manufacturer operating under CMP Regulation 5 is limited in his purchases of maintenance, repair, and operating supplies to the amount which he spent in the base period. A manufacturer who spent $50,000 during the base period, including $500 for lead, may buy any amount of lead during the current period, and may use his MRO rating for that purpose, and he need include only $500 of the amount thus spent for lead in figuring the amount to be charged to his quota of MRO.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

This lists the materials which are exempt from all inventory limitations and from restrictions on the quantity which may be purchased for maintenance, repair or operating supplies.

Asbestos of grades included in Groups 4, 5, 6, 7, 8 and 9 (Canadian Asbestos Classification).
Ball clay.
Diatomaceous earth.
Domestic andalusite.
Domestic dumortierite.
Ilmenite.
Kaolin.
Lead.
Phosphate rock.
Pinite.
Potter's flint.
Salt (sodium chloride) in bulk.
Soapstone.
Sodium sulfate (salt cake).
Stoneware clay.
Sulphur.
Waste paper.

[F. R. Doc. 44–6047; Filed, April 28, 1944; 11:20 a. m.]

PART 3284—BUILDING MATERIALS

[General Limitation Order L–78, as Amended Apr. 28, 1944]

FLUORESCENT LIGHTING FIXTURES

§ 3284.36 *General Limitation Order L–78*—(a) *Purpose of this order.* This order places certain limitations on the manufacture and assembly of fluorescent lighting fixtures. It also restricts the sale and delivery of new fixtures and parts.

Restrictions on Manufacture and Assembly

(b) *Rectified fluorescent lighting fixtures.* No person may manufacture or assemble a rectified fluorescent lighting fixture.

(c) *Parts for rectified fluorescent lighting fixtures.* No person may manufacture or assemble any part for a rectified fluorescent lighting fixture except for purposes of maintenance or repair.

(d) *Use of non-ferrous metal.* No person may incorporate any non-ferrous metal in any fluorescent lighting fixture or part except as permitted by Orders M–1–i (aluminum), M–6–b (nickel), M–9–c (copper), M–11–b (zinc), M–18–b (chrome), M–43 (tin), M–65 (cadmium) and any other applicable orders of the War Production Board.

(e) *Prohibited uses of metal in hot cathode fixtures.* Unless specific written authorization is granted by the War Production Board, after application as required in paragraph (j), no person may incorporate any metal in a fluorescent lighting fixture designed for:

(1) One tube of any wattage, unless the fixture is an industrial portable or an industrial attachable model;

(2) A continuous row of single tubes of any wattage;

(3) Two tubes rated 30 watts per tube or less, unless the fixture is an industrial portable or an industrial attachable model;

(4) Three or more tubes rated 30 watts per tube or less;

(5) Five or more rows of tubes of any wattage in either an individual fixture or in a continuous row section.

Restrictions on Sale and Delivery

(f) *Preference ratings.* No person may sell or deliver any new fluorescent lighting fixture or part except on an order or contract bearing a preference rating. (An order or contract bearing a rating lower than AA–2 must be regarded as an unrated order or contract, if the supplier knows or has reason to believe that the rating is a blanket MRO rating. The term "blanket MRO rating" is defined in Priorities Regulation 3.)

(g) *Exceptions to paragraph (f).* There are five exceptions to the rule stated in the preceding paragraph. No preference rating is necessary for:

(1) The delivery of a fixture or part to an established laboratory for testing purposes only;

(2) The delivery of a fixture or part to a potential customer for demonstration but not for stock;

(3) The sale or delivery of a part to be used solely for maintenance or repair of an existing fixture;

(4) The sale and delivery of a fixture or part to a manufacturer or wholesaler on a special sale under Priorities Regulation 13; or

(5) The delivery (for inventory purposes only) of a fixture or part from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(h) *Release of fixtures held in inventory.* Upon specific authorization of the War Production Board, after application as required in paragraph (j), a manufacturer, assembler, wholesaler or retailer may sell or deliver from his inventory on unrated orders any completely assembled fluorescent lighting fixture which was manufactured before June 2, 1942, and which was reported to the War Production Board on Forms PD–499 or WPB–1066. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Definitions

(i) *Meaning of terms used in this order.* For the purpose of this order:

(1) The term "fluorescent lighting fixture" includes hot cathode, cold cathode, and rectified equipment designed or constructed for the purpose of illumination. In addition to its ordinary meaning, the term also includes Cooper-Hewitt and 3000 watt mercury vapor equipment. The term "fluorescent lighting fixture" does not include:

(i) Tubes or bulbs covered by Order L–28, or replaceable fluorescent starters;

(ii) Incandescent lighting fixtures, as defined in Order L–212 (that definition of "incandescent lighting fixtures" includes fixtures designed for use with 250 watt and 400 watt mercury vapor tubes);

(iii) Any portable or attachable lamp or fixture designed to be plugged into an electric outlet, other than (*a*) "industrial portable" and "industrial attachable" fluorescent lighting fixtures, as defined in this order, and (*b*) portable or attachable overhead suspended fluorescent lighting fixtures;

(iv) Fixtures designed to accommodate germicidal lamps;

(v) Aviation ground lighting equipment covered by Order L–235;

(vi) Aircraft lighting equipment, as defined in Order L–327; or

(vii) Photographic lighting equipment and accessories covered by Order L–267.

(2) An "industrial portable" fluorescent lighting fixture is one which is designed for use in the operation of some piece of factory equipment (such as an industrial machine or tool) or in the assembly, inspection or servicing of a product, but which is not permanently attached to the equipment or the product. Such fixtures are designed to be plugged into an electric outlet and are usually equipped with either a handle, a hook, or a base fitted with free rolling casters. The term does not include any portable overhead suspended fluorescent lighting fixture.

(3) An "industrial attachable" fluorescent lighting fixture is one which is designed to be used with some piece of factory equipment (such as an industrial machine, tool, or assembly bench) and is so constructed that it may be permanently affixed by screws to the equipment or to an adjoining wall. Such fixtures are designed to be plugged into an electric outlet. The term does not include any attachable overhead suspended fluorescent lighting fixture.

(4) A "continuous row" of tubes consists of two or more placed end to end.

(5) A "new" fluorescent lighting fixture or part is one which has never been used by an ultimate consumer.

Miscellaneous Provisions

(j) *Requests for authorizations.* Requests for specific authorization under paragraphs (e) and (h) shall be made by letter, in duplicate, giving the following information:

(1) Where authorization is requested under the provisions of paragraph (e), the letter shall state the government contract number and item number (if any), the name and address of the project where the lighting fixtures will be used, the preference rating used on the contract or order, a full description of the fixtures, and an explanation as to why permitted types cannot be used.

(2) Where a request is made under the provisions of paragraph (h) to sell fixtures (on unrated orders) which have been held in inventory, the letter shall state whether the fixtures are industrial or non-industrial types, the quantity of each type of fixture, the number of tubes per fixture, the wattage per tube and the voltage and frequency (cycles) on which the fixtures are designed to operate.

Letters requesting authorizations under paragraphs (e) and (h) shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref: Administrator of L–78. These provisions have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(k) *Applicability of regulations.* This order and all transactions affected by it are subject to all regulations of the War Production Board as amended from time to time.

(l) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB–1477 (formerly PD–500) or a letter, in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal. Such appeals shall be filed with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates.

(m) *Routing of correspondence.* Reports to be filed, requests for specific authorization and other communications concerning this order shall be addressed to the War Production Board, Building Materials Division, Washington 25, D. C., Ref: L–78.

(n) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD.
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6040; Filed, April 28, 1944; 11:19 a. m.]

PART 3289—RADIO AND RADAR DIVISION

[General Limitation Order L–265, Interpretation 2]

LABORATORY RESEARCH AND DEVELOPMENT; RELATION OF PREFERENCE RATING ORDER P–43 AND GENERAL LIMITATION ORDER L–265

The following interpretation is issued with respect to General Limitation Order L–265:

The restrictions of paragraph (b) (1) of Order L–265 on manufacture apply to persons only to the extent that they are "engaged in the manufacture of electronic equipment for transfer or for commercial use". A person who gets materials with the priorities assistance given by Order P–43 may use those materials to make experimental electronic equipment for his own use without regard to the restrictions of paragraph (b) (1) of Order L–265. If he makes experimental electronic equipment for transfer or for commercial use he must do so only within the limits of paragraph (b) (1) of Order L–265. In all cases where he gets and uses materials with the priorities assistance of Order P–43, he must comply with all the provisions of Order P–43.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6044; Filed, April 28, 1944; 11:19 a. m.]

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L–85, Schedule III, as Amended Apr. 28, 1944]

WOMEN'S, MISSES' AND JUNIOR MISSES' COATS, FUR COATS, TOPPERS, SUITS, JACKETS, SKIRTS, SLACKS, OVERALLS, COVERALLS, PLAY SUITS AND SHORTS

§ 3290.4 *Schedule III to General Limitation Order L–85*—(a) *Definitions.* For the purpose of this schedule:

(1) "Coat" means any outer garment for feminine wear, usually worn over other outer apparel, including a cape, a raincoat, an evening coat, a reefer and a topper, but excluding a fur coat;

(2) "Fur coat" means an outer garment for feminine wear, usually worn over other outer apparel, and made of fur;

(3) [Deleted October 26, 1943]

(4) "Suit" means a garment consisting of a separate jacket and skirt of either matching or contrasting material, sold as one unit;

(5) "Jacket" means a coat shorter than 33 inches of the type usually worn with a skirt or slacks or over other apparel. (Note that paragraph (e) (2) specifies the maximum permitted length for a jacket);

(6) "P'aysuit" means either a one-piece garment consisting of a top attached to a pair of shorts, or a two-piece garment consisting of a separate top and a pair of shorts.

(7) "Evening skirt" means a skirt of floor or ankle length;

(8) "French cuff" means a cuff over a cuff, or a double cuff;

(9) "French facing" means a facing extending to the armhole or beyond;

(10) "Culotte" means a garment with a divided skirt;

(11) "Measurements" means, unless otherwise specified, maximum finished measurements in inches after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) Measurements of the length of coats, toppers, reefers, and jackets shall be made from the nape of the neck to the bottom of the finished garment;

(ii) Measurements of the length of skirts shall be made from the highest point of the skirt to the bottom of the finished garment;

(iii) "Sweep" means the maximum circumference of a skirt at any point parallel to the floor;

(iv) "Sleeve length" means the maximum measurement from the side of the

neck over the shoulder to the bottom of the sleeve;

(v) "Sleeve circumference" means the maximum measurement at the bottom of the sleeve, or at the part attached to the cuff.

(b) *General exceptions.* The provisions of this schedule shall not apply to any apparel for feminine wear referred to in this schedule, the cloth for which was put into process prior to:

(1) May 27, 1943, in the case of fall and winter apparel for feminine wear; and

(2) July 1, 1943, in the case of summer apparel for feminine wear, provided that the provisions of General Limitation Order L–85 as amended July 10, 1942, shall apply to summer apparel for feminine wear until July 1, 1943.

(c) *General restrictions on processing, manufacture and sale of all women's misses', junior misses' coats, suits, jackets, skirts, slacks, coveralls, overalls, play suits, shorts and fur coats.* (1) No person shall put into process, manufacture, sell or deliver an article of apparel for feminine wear covered by this Schedule with another garment or article at a unit price, except that:

(i) A jacket may be sold with a skirt, or with a slack, or with ski pants as a two-piece outfit at a unit price;

(ii) A skirt may be sold with a one-piece short playsuit at a unit price; and

(iii) A slack may be sold with a blouse at a unit price.

(2) No person shall put into process, manufacture, sell or deliver an article of apparel for feminine wear covered by this schedule with an attached hood, cape, capelet, fichu, vest, cap, pants, handkerchief, shawl or scarf.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) *General restrictions applying to the processing of apparel for feminine wear covered by this schedule.* (1) No person shall put into process any cloth for the manufacture of a coat with:

(i) French facings, except of wool cloth;

(ii) A belt or sash over 2 inches in width;

(iii) Bi-swing or Norfolk-type backs;

(iv) Balloon, dolman or leg-of-mutton sleeves;

(v) Sleeve facings over 2 inches;

(vi) More than one collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vii) Epaulets or tabs on the shoulders;

(viii) More than 2 pockets, inside or out, except on a reversible raincoat in which case 2 pockets may be used on the inside and the outside, or with any patch pocket exceeding 64 square inches of material before reduction;

(ix) More than 4 flaps;

(x) Separate or attached vestees, dickeys, gilets, or scarfs.

(2) No person shall put into process any cloth for the lining of a fur coat;

(i) Exceeding a maximum sweep of 64 inches for a box coat or 74 inches for a fitted coat, for a size 16. The maximum measurements for sweep of other sizes shall be 2 inches more for each larger size and 2 inches less for each smaller size;

(ii) Exceeding a maximum length of 43 inches for a size 16. Other sizes shall be graded in normal trade proportions.

(3) No person shall put into process any cloth for the manufacture of a separate jacket or a jacket which is the top of a suit, a slack suit or a ski suit, with:

(i) French facings, except of wool cloth;

(ii) A belt or sash over 2 inches in width;

(iii) Bi-swing, vent, or Norfolk-type backs;

(iv) Balloon, dolman, or leg-of-mutton sleeves;

(v) Sleeve facings over 1½ inches;

(vi) More than 1 collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vii) A collar over 5 inches in width;

(viii) Epaulets or tabs on the shoulders;

(ix) More than 2 pockets, inside or out, or with any patch pocket exceeding 42 square inches of material before reduction;

(x) More than 4 flaps;

(xi) Separate or attached vestees, dickeys, gilets or scarfs;

(xii) Double breasted fronts;

(xiii) Quilting, except when used as a lining;

(xiv) Pleating, tucking or shirring of any part or section of a jacket which increases by more than 10% said part or section, except that the width of the complete front of a jacket may be increased by 8 inches of material.

(4) No person shall put into process any cloth for the manufacture of a separate skirt or a suit skirt or a play suit skirt, with:

(i) A separate or attached half belt, full belt, tab, simulated belt, or belt loops;

(ii) Pleating, tucking or shirring on the waistband;

(iii) A waistband over 3 inches in width at its maximum width;

(iv) Suspenders;

(v) More than 1 pocket, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

(vi) A flap on the pocket;

(vii) Features making such skirts of the types known as culottes, reversible skirts, lined skirts, quilted skirts, or skating skirts;

(viii) Pleating, tucking, or shirring, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size.

(5) No person shall put into process any cloth for the manufacture of a slack, coverall, overall, short, play suit, or ski pants, with:

(i) A separate or attached half belt, full belt, simulated belt, tab, or belt loops, except that a coverall may have a belt and belt loops, and a slack, a short and ski pants may have belt loops.

(ii) Pleating, tucking or shirring on the waistband;

(iii) A waistband over 3 inches in width at its maximum width;

(iv) More than 2 pockets, inside or out, or with any patch pockets exceeding 36 square inches of material before reduction;

(v) Flaps on pockets;

(vi) A cuff;

(vii) A blouse or shirt top which exceeds the restrictions of Schedule II governing blouses.

(e) *General restrictions on the measurements of all apparel for feminine wear covered by this schedule.* Maximum measurements for all sizes and ranges other than those specified below shall be graded in normal trade proportions.

(1) *Coats.* Coats shall not be shorter than 33 inches for any size and shall be of and graded from the following maximum measurements:

COATS

Type	Size	Hems	Outside sleeve measurements	Sleeve circumf.	Sweep		Length	
					Fit	Box[1]	Fit	Box
Misses'	16	2	30	16½	70	60	43	42
Jr. misses'	15	2	30	16½	70	60	41½	40½
Little women	20½	2	29½	16½	76	66	44	43
Women's reg	40	2	31½	16½	76	66	45½	44½
Women's stout	42½	2	32	16½	78	68	46½	45½
Women's odd	41	2	31½	16½	78	68	46½	45½

[1] Box coats between 33" and 36" in length may be made with same sweep as designated for fitted coats.

(2) *Jackets.* Separate jackets and jackets which are the tops of suits, slack suits, and ski suits shall be of and graded from the following maximum measurements:

JACKETS

Type	Size	Jacket length	Sleeve length	Sleeve circumference	Hems
Misses'	16	25	30	14	1½
Jr. misses'	15	25	30	14	1½
Little women	20½	25½	31½	15½	1½
Women's reg	40	26¼	29	15½	1½
Women's stout	42½	26½	32	16	1½
Women's odd	41	26¾	31	16	1½

(3) *Separate skirts.* Separate skirts shall be of and graded from the following maximum measurements:

SEPARATE SKIRTS

Type	Size	Length inc. waistband	Hems	Sweeps	Wool sweeps over 9 oz.
Misses'	16	28	2	78	64
Jr. misses'	15	27	2	78	64
Women's reg	40	29½	2	82	70

(4) *Suit skirts.* Suit skirts shall be of and graded from the following maximum measurements:

SUIT SKIRTS

Type	Size	Length inc. waistband	Hems	Sweeps	Wool sweeps over 9 oz.
Misses'	16	28	2	72	64
Jr. misses'	15	27	2	72	64
Women's reg.	40	29½	2	76	70

(5) *Evening and dinner skirts.* (i) Sweeps on all sizes of evening and dinner skirts shall be limited, with respect to the following materials, to:

(*a*) 90 inches when made of crepes, crepe satins, and similar fabrics;

(*b*) 144 inches when made of taffeta, flat satins, and failles;

(*c*) 288 inches when made of transparent fabrics;

(*d*) 90 inches when made of any other material.

(ii) Lengths for evening and dinner skirts shall not exceed:

(*a*) 45½" for size 16, Misses' range;

(*b*) 44" for size 15, Junior Misses' range;

(*c*) 46" for size 40, Women's range.

(iii) No evening or dinner skirt may be made of wool cloth.

(iv) Any skirt shorter than ankle or floor length shall conform in all respects with the measurements prescribed for daytime and suit skirts.

(6) *Slacks, overalls and coveralls.* Slacks, overalls and coveralls from waist down shall be of and graded from the following maximum measurements:

SLACKS, OVERALLS AND COVERALLS

Type	Size	Bottom width	Length incl. waistband and turn-up at bottom
Misses'	16	19½	45¼
Jr. misses'	15	19½	44½
Women's reg	40	22½	46½

(7) *Ski pants.* Ski pants shall be of and graded from the following maximum measurements:

SKI PANTS

Type	Size	Bottom width	Length including waistband and turn-up at bottom
Misses'	16	15	42½
Jr. misses'	15	15	41½
Women's reg	40	17	44½

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

INTERPRETATION 1: Obsolete.

[F. R. Doc. 44-6042; Filed, April 28, 1944; 11:19 a. m.]

PART 3290—TEXTILE, CLOTHING, AND LEATHER

[General Limitation Order L-85, Schedule V as Amended Apr. 28, 1944]

CHILDREN'S APPAREL FOR OUTER WEAR

§ 3290.6 *Schedule V to General Limitation Order L-85*—(a) *Definitions.* For the purpose of this schedule:

(1) "Outerwear" means all apparel for children, excluding underwear and lounging wear;

(2) "Children's apparel" means outerwear of the following size ranges:

(i) Toddler's range 1 to 4 for both sexes;

(ii) Children's range 3 to 6x for both sexes;

(iii) Girl's range 7 to 14;

(iv) Teen age range 10 to 16;

(v) Chubbie range 7½ to 14½ and 10½ to 16½.

(3) "Children's" means all ranges from 1 to 16½;

(4) "Coat" means any outer garment for children usually worn over other outer apparel, including a cape, a raincoat, a reefer and a topper, but excluding a jacket;

(5) "Playsuit" means either a one-piece garment consisting of a top attached to a pair of shorts, or a two-piece garment consisting of a separate top and a pair of shorts.

(6) "Suit" means a garment consisting of a separate jacket and skirt of either matching or contrasting material, sold as one unit;

(7) "Jacket" means a coat shorter than 33" in teen age and shorter than 24" in girls' range; (Note that paragraph (d) (2) (xvi) specifies the maximum permitted length for a jacket.)

(8) "Dress" includes a street dress, a suit dress and a party dress;

(9) "Street dress" means any dress other than a party dress;

(10) "Party dress" means a dress of floor or ankle length;

(11) "Suit dress" means an unlined two-piece outfit consisting of a top and skirt, sold as one unit and commonly known to the trade as a two-piece dress. It shall be subject to all the regulations of paragraph (d) (5) governing dresses. However, if the top is lined, half lined, sleeve lined, partly or skeleton lined, it shall be deemed a suit and not a dress and shall be subject to paragraphs (d) (2) and (d) (8) governing packets and skirts.

(12) "Legging set" means a combination of coat and leggings or pants, of the type known as a double duty outfit;

(13) "Snow suit" or "ski suit" means a one-piece garment or a combination of a jacket and leggings or pants, made exclusively for outdoor wear;

(14) "French facing" means a facing extending to the armhole or beyond;

(15) "Culotte" means a garment with a divided skirt;

(16) "Measurements" means, unless otherwise specified, maximum finished measurements in inches after all manufacturing operations have been completed and the garment is ready for shipment, as follows:

(i) Measurement of the length of coats, toppers, dresses, and jackets shall be made from the nape of the neck to the bottom of the finished garment;

(ii) Measurements of the length of skirts shall be made from the highest point of the skirt to the bottom of the finished garment;

(iii) "Sweep" means the maximum circumference of a skirt or a dress at any point parallel to the floor.

(b) *General exceptions.* The provisions of this schedule shall not apply to children's apparel, the cloth for which was put into process prior to:

(1) May 27, 1943, in the case of fall and winter apparel; and

(2) July 1, 1943, in the case of summer apparel: *Provided*, That the provisions of General Limitation Order L-85 as amended July 10, 1942, shall apply to summer apparel until July 1, 1943.

(c) *General restrictions on processing, manufacture and sale of all children's apparel.* (1) No person shall put into process, manufacture, sell or deliver any children's apparel, including a jumper or pinafore, with another garment or article at a unit price, except in the case of the following garments which may be sold as one unit:

(i) A skirt and a top may be sold as a dress;

(ii) A jacket may be sold with a skirt, or with slacks, or with ski pants, as a suit;

(iii) A coat may be sold with one pair of leggings up to and including size 14;

(iv) A one-piece play suit may be sold with a skirt.

(2) No person shall put into process, manufacture, sell or deliver any children's apparel with an attached cape, muff, scarf, bag, hat, cap, capelet, handkerchief or hood, except that a collarless raincoat and a collarless mackinaw or ski jacket may be sold with a permanently attached hood up to and including size 14.

(3) No person shall change any manufactured size marking to denote a different size or a different size range.

(d) *General restrictions applying to the processing of children's apparel.* (1) No person shall put into process any cloth for the manufacture of a Coat, Cape, or Raincoat, with:

(i) Epaulets or tabs on the shoulders.

(ii) More than one collar or revers. (Single collar or revers of two thicknesses with inside lining permitted);

(iii) A collar over 5 inches wide;

(iv) More than 2 pockets, inside or out, except on a reversible raincoat in which case 2 pockets may be used on the

inside and the outside, or with any patch pocket exceeding 36 square inches of material before reduction.

(v) More than 1 flap on each pocket.

(vi) More than 2 separate flaps for trimming use;

(vii) Balloon, dolman, or leg-of-mutton sleeves;

(viii) French facings, except of wool cloth;

(ix) Turn-back cuffs;

(x) A belt over 2 inches wide;

(xi) Bi-swing, vent, pleat, or Norfolk-type backs from the waist up;

(xii) Vestees, dickeys or gilets;

(xiii) Sleeve facings over 1½ inches;

(xiv) Bibs on leggings of legging sets;

(xv) Measurements which are not of or graded from the following maximum measurements:

COATS, CAPES AND RAINCOATS

Type	Size	Length box coat	Sweep box coat	Length fitted	Sweep fitted	Hem	Sweep for coat sold with leggings
Toddlers'	4	19	46	----------	----------	2	48
Children's	6x	26	52½	----------	----------	2	54½
Girls'	14	36	53	36	63	2	64
Chubbie girls'	14½	36	60	36	70	2	----------
Teen age	16	40	59½	41	68	2	----------
Chubbie teen age	16½	40	63½	41	72	2	----------

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions. Coats in teen age and chubbie teen age types shall not be shorter than 33" for any size, and coats in girls' and chubbie girls' types shall not be shorter than 24" for any size.

(2) No person shall put into process any cloth for the manufacture of a separate jacket or a jacket which is the top of a suit, a slack suit, a snow suit, or a ski suit, with:

(i) A belt wider than 2 inches;

(ii) Balloon, dolman or leg-of-mutton sleeves;

(iii) Sleeve facings over 1½ inches;

(iv) A cuff on a sleeve;

(v) More than 1 collar or revers. (Single collar or revers of 2 thicknesses with inside lining permitted);

(vi) Collar or revers over 5 inches in width;

(vii) More than 2 pockets, inside or out, or with a patch pocket exceeding 36 square inches of material before reduction;

(viii) More than 1 flap on each pocket;

(ix) More than 2 separate flaps for trimming use;

(x) Epaulets or tabs on the shoulders;

(xi) French facings except of wool cloth;

(xii) Double breasted fronts in teen age sizes 10 to 16;

(xiii) Quilting, except when used as a lining;

(xiv) Bi-swing, vent, or Norfolk-type backs;

(xv) A dickey collar except on collarless jackets;

(xvi) Measurements which are not of or graded from the following maximum measurements:

JACKETS

Range	Size	Jacket length	Snow & ski suit jacket length	Hems
Toddlers'	3	14½	15½	1½
Children's	6x	16½	18	1½
Girls'	14	20½	22	1½
Chubbie girls'	14½	20½	22	1½
Teen age	16	23½	23½	1½
Chubbie teen age	16½	23½	23½	1½

Maximum measurements for all sizes and ranges other than those specified above shall be graded in normal trade proportions.

(3) No person shall put into process any cloth for the manufacture of a separate skirt or a suit skirt or a play suit skirt, with:

(i) A separate or attached half belt, full belt, tab, simulated belt, or belt loops;

(ii) Pleating, tucking or shirring on the waistband;

(iii) Suspenders, except on sizes 1 to 3 and 3 to 6x. (If suspenders are used on the approved sizes the width must be limited to 1½ inches finished and no ruffles may be applied to the suspenders);

(iv) More than 1 pocket, inside or out, or with any patch pocket exceeding 25 square inches of material before reduction;

(v) A flap on the pocket;

(vi) A waistband over 2 inches in width at its maximum width;

(vii) Features making such skirts of the types known as culottes, reversible skirts, lined skirts, quilted skirts, or skating skirts;

(viii) Over-all pleating, tucking or shirring, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size;

(ix) Measurements which are not of or graded from the following maximum measurements:

SKIRTS

Range	Size	Sweep	Length including waistband	Hems
Toddlers'	3	48	11½	2
Children's	6x	56	16¾	2
Girls'	14	68	24	2
Chubbie girls'	14½	72	24	2
Teen age	16	75	26	2
Chubbie teen age	16½	78	26	2

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions.

(4) No person shall put into process any cloth for the manufacture of a slack, coverall, overall, short, play suit, snow suit or ski pants, with:

(i) A separate or attached belt, half belt, simulated belt, tab, or belt loops, except that

(*a*) Slacks or shorts for male children may have a belt and belt loops if they do not have either suspenders, a bib or any button-on features; and

(*b*) A one-piece play suit and a one-piece snow suit may have a belt; and

(*c*) Slacks and shorts (except for male children) and ski pants may have belt loops.

(ii) A waistband over 2 inches in width at its maximum width;

(iii) Pleating, tucking or shirring on the waistband;

(iv) More than 2 pockets, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

(v) Flaps on the pockets;

(vi) Cuffs;

(vii) Suspenders, except on size 1 to 3, 3 to 6x and 6x to 14. (If suspenders are used on the approved sizes the width must be limited to 1½ inches finished and no ruffles may be applied to the suspenders).

(viii) Measurements which are not of or graded from the following maximum measurements:

SLACKS, COVERALLS, OVERALLS, SHORTS, PLAY-SUITS, SNOW-SUITS AND SKI PANTS

Range	Size	Length ski pants	Max. length incl. turn-up slacks & coveralls & overalls from waist down	Circumference at bottom
Toddlers'	3	27	22½	15
Children's	6x	33	28	16
Girls'	14	42	40	18
Teen age	16	44	42¼	19

(5) No person shall put into process any cloth for the manufacture of children's dresses, with:

(i) Balloon, dolman or leg-of-mutton sleeves;

(ii) French facings;

(iii) A belt over 2 inches in width;

(iv) A sash over 3 inches in width;

(v) A bias cut sash;

(vi) Double yokes;

(vii) Bi-swing, vent, pleat, or Norfolk-type backs;

(viii) Epaulets or tabs on the shoulders;

(ix) More than 1 collar or revers. (Single collar or revers of 2 thicknesses permitted);

(x) A collar or revers over 5 inches in width;

(xi) More than 2 pockets, inside or out, or with any patch pocket exceeding 36 square inches of material before reduction;

(xii) More than 1 flap on each pocket;

(xiii) More than 2 separate flaps for trimming use;

(xiv) Cuffs over 2 inches in width;

(xv) More than 1 button or buttonhole on a cuff;

(xvi) Sleeve facings over 1½ inches;

(xvii) Suspenders;

(xviii) Extra sleeves, attached or otherwise;

(xix) Vestees or gilets;
(xx) Quilting;
(xxi) More than 1 ruffle (not to exceed 2 inches in width) on a sleeve;
(xxii) Ruffles on skirt, except that ruffles may be used on or around skirt pockets;
(xxiii) A skirt pleated, tucked or shirred, except when the sweep before pleating, tucking or shirring does not exceed the prescribed sweep of that particular size;
(xxiv) Features making such dresses known as culottes and reversible dresses;
(xxv) More than two trimming bows;
(xxvi) Petticoat, apron, or overskirt;
(xxvii) A dickey collar except on a collarless dress. (The dickey collar shall be no longer than 15 inches from the center back of the neckline to the longest point in front for a size 16);
(xxviii) Measurements which are not of or graded from the following maximum measurements:

DRESSES

Range	Size	Street length	Street sweep	Street hems	Party length	Party sweep	Party hem	Length top two-piece dress
Toddlers'	3	17½	48	3				14½
Children's	6x	26	56	3	37	80	1	16½
Girls'	14	36	66	3	52	96	1	20½
Chubbie girls'	14½	36	72	3	52	96	1	20½
Teen age	16	41	72	2	57	120	1	23½
Teen age chubbie	16½	41	78	2	57	120	1	23½

Maximum measurements for all sizes other than those specified above shall be graded in normal trade proportions.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6041; Filed, April 28, 1944; 11:19 a. m.]

PART 3290—TEXTILE, CLOTHING AND LEATHER

[General Limitation Order L-284, as Amended Apr. 28, 1944]

LUGGAGE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of materials for making luggage for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3290.186 *General Limitation Order L-284*—(a) *Definitions.* For the purpose of this order:

(1) "Luggage" means a container of the type used for the transportation of personal effects on a journey, and includes (without limitation of the foregoing) the following: animal carriers, army lockers, bellows and extension cases, Boston bags, bottle cases, carryalls, cosmetic cases, duffel, sport and furlough bags, fitted cases, gladstone cases, hat boxes, hat and shoe boxes, jackknife cases, kit bags, over-night or week-end cases, physician's bags, picnic cases, pullman cases, pullman tray cases, salesmen's sample cases, secretary cases, shoe cases, suit cases, travelling bags, vanity cases, victoria cases, women's and men's wardrobe cases, trunks of all types, and all other products that are sold and known as luggage in the trade. It shall not include any items having a factory price (exclusive of taxes) of $1.50 or less.

(2) "Base period" means the twelve months ended December 31, 1941.

(3) "Cattle hide leather" means leather or rawhide produced from the hides or skins of bulls, steers, cows and buffaloes, whether native or branded, foreign or domestic, including calf and kipskins.

(4) "Military order" means an order for luggage to be delivered to the Army or Navy of the United States (excluding post exchanges and ship's service stores), United States Maritime Commission, the War Shipping Administration, the Panama Canal, the Coast and Geodetic Survey, the Coast Guard, the Civil Aeronautics Authority, the National Advisory Committee for Aeronautics and the Office of Scientific Research and Development.

(5) "Post exchanges" means United States Army post exchanges and United States Marine Corps post exchanges.

(6) "Ship's service stores" means the stores maintained by the United States Navy Ship Service Department.

(7) [Deleted Oct. 11, 1943.]

(8) "Design and construction" of luggage means the make-up of the luggage in every detail, so that any two pieces of luggage of the same design and construction are necessarily identical, except in quality and color of material utilized.

(b) *Restrictions on manufacturing*—(1) *Limitations on construction.* (i) After June 30, 1943, no person shall produce any luggage except in conformity with the restrictions contained in Schedule I, annexed; and

(ii) After April 30, 1943, no person shall cut or otherwise put into process any material for the manufacture of any animal carriers, bellows and extension cases, bottle cases, cosmetic cases, fitted cases, hat boxes, hat and shoe boxes, jackknife cases, kit bags, picnic cases, secretary cases, shoe cases, vanity cases, victoria cases, women's wardrobe cases, or wardrobe trunks of any type: *Provided, however,* That no person shall be deemed to be in violation of this paragraph (b) (1) (ii) in cutting material in his inventory on April 30, 1943, if used only in connection with fabricated or semi-fabricated parts in his inventory on said date and if the luggage into which such material is incorporated is completed prior to July 1, 1943.

(2) *Limitation on quantity produced.* No manufacturer shall produce during any calendar semi-annual period, beginning January 1, 1944, a greater net dollar volume of luggage (factory sales, excluding taxes) than that shown for his class on the following list:

Class factory sales during the base period:	*Factory sales permitted during any calendar semi-annual period*	*Rate of production on annual basis (percent)*
$750,000 or more	32% of base period volume	64
Between $250,000 and $750,000	35% of base period volume	70
Between $25,000 and $250,000	38% of base period volume	76
Less than $25,000	45% of base period volume	90

Provided, however, That nothing in this paragraph (b) (2) shall prevent any manufacturer from making factory sales up to $1,000 per month or from producing luggage within such dollar volume.

(3) *Application to military and Post Exchanges orders.* None of the restrictions of this paragraph (b) shall apply to luggage produced under specific military orders as above defined.

Luggage produced for Post Exchanges and Ships' Service Stores must conform to paragraph (b) (1) above, whether or not produced on rated orders, but need not be included within the quota assigned in the second column of the schedule in paragraph (b) (2).

In computing factory sales for the purpose of determining a manufacturer's base period volume, sales to civilian stores, Post Exchanges and Ships' Service Stores shall be included and sales on specific military orders as above defined shall be excluded.

(c) *Restrictions on sales, deliveries and inventories.* (1) No manufacturer or dealer shall sell or deliver any luggage which he knows or has reason to believe was manufactured in violation of this order.

(2) No manufacturer shall accept delivery of any item of material to be incorporated into luggage if by reason of such delivery such manufacturer's inventories of such item will be in excess of his minimum practicable working requirements, or in any event in excess of his requirements for the next 120 days.

(d) *Applicability of regulations.* This order and all transactions affected thereby are subject to all regulations of the War Production Board, as amended from time to time, except paragraph (d) of Priorities Regulation 17, which shall be inapplicable to luggage.

(e) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provisions appealed from and stating fully the grounds of the appeal.

(f) *Communications to the War Production Board.* All reports, applications, forms, or communications required un-

der or referred to in this order, and all communications concerning this order, shall unless otherwise directed be addressed to the War Production Board, Textile, Clothing & Leather Division, Washington 25, D. C., Ref.: L–284.

(g) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or who furnishes false information to any department or agency of the United States is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE I

(a) *Limitation of types and styles.* (1) Subject to paragraph (a)(3) below, all items shall be of the following types and within the following maximum outside length:

Type	Maximum outside length (inches)
Furlough bag	20
Over-night case	21
Pullman case (empty)	26
Tray pullman case	29
Men's wardrobe	24
Men's week-end	24
Foot locker	31
Physician's bag	18
Sample cases and sample trunks	Unlimited
Packing trunks	40

(2) Except with respect to sample cases and sample trunks, no manufacturer shall in any calendar year produce within each type mentioned above more than two price lines, i. e., either one style in two price lines or two styles in one price line each. For this purpose "style" shall refer to the design and construction of the luggage, including its size, but not to the quality or color of the material utilized.

(3) The restrictions in this paragraph (a) regarding dimensions and number of styles and price lines shall not apply to items produced by manufacturers whose factory sales have not in any prior calendar month (subsequent to May, 1943) exceeded $1,000.

(b) *Limitation on use of materials.* (1) None of the following materials shall be used in making luggage:

(i) Parts containing iron or steel, other than slide fasteners (closures only), frames, locks, bolts, dowels, handle dee rings, handle posts, valances, valance clamps, binding corner clips, men's wardrobe hanger brackets, foot locker corners, foot locker bindings, snap fasteners, buckles, hinges, rivets, screws, nails, tacks, washers, burrs, or other small hardware for essential joinings. No stainless steel may, however, be used in any of these parts.

(ii) Any slide fasteners, except for closures.

(iii) Parts containing copper, zinc, aluminum, or copper, zinc or aluminum alloys.

(iv) Leather, except:

(*a*) Sheepskin, pigskin, sealskin, walrus, sharkskin or alligator leather,

(*b*) Rawhide (cattlehide) or vegetable tanned cattlehide leather under 3½ ounces in weight,

(*c*) Scrap cattle hide leather, or

(*d*) Vegetable tanned bag, case and strap cattle hide leather bellies under 7 ounces in weight.

Any of the foregoing may be used for handles, attaching handle pieces, welts, bindings, corners, closures but for no other purpose.

(2) In no event shall more iron, steel, or leather be used than is essential to perform a functional purpose. The functional uses for handle loops, leather straps, leather corners and leather bindings shall be limited as follows:

(i) Leather handle loops shall consist of necessary attaching pieces only and shall not include extended strips for design or decorative purposes.

(ii) Leather straps shall be used for essential closure means only and shall not include extended or long straps.

(iii) Leather corners shall be used for essential reinforcements for the top or bottom, or both, of a case or bag only and shall not include wing-tip corners or over-sized corners for design or decorative purposes.

(iv) Leather bindings shall be used for essential reinforcements and shall not exceed 1¼" width before attachment.

INTERPRETATION 1

LUGGAGE

The quota exemption contained in paragraph (b)(3) in favor of "luggage produced for post exchanges and ship's service stores" refers only to luggage produced to fill direct orders from post exchanges and ship's service stores. It does not refer to luggage produced for wholesalers or retailers, even though such wholesalers or retailers may intend to resell the luggage to post exchanges or ship's service stores. (Issued Nov. 17, 1943.)

[F. R. Doc. 44–6045; Filed, April 28, 1944; 11:20 a. m.]

PART 3291—CONSUMERS DURABLE GOODS

[General Limitation Order L–45, as Amended Apr. 28, 1944]

JEWELRY

§ 3291.195 *General Limitation Order L–45*—(a) *Definitions.* For the purposes of this order:

(1) "Jewelry" means all articles commonly known as jewelry designed to be worn on or about the person, including but not limited to, mesh bags, vanity cases, lip sticks, compacts, cigarette cases, cigar and cigarette lighters, watch bracelets, clasps, money clips, belt buckles, pocket knives, emblematic jewelry, merit awards, and luck pieces. It includes jewelry having religious significance, such as crosses, stars or medals, but it does not include rosaries. It does not include watch cases unless they contain or are designed to contain stones, pearls or jewels.

(2) "Manufacturer" means any person engaged in the business of producing jewelry.

(3) To "produce jewelry" means the performance of the last manufacturing or assembling operation on jewelry. It includes the repair of jewelry if the repair requires more karat gold or palladium (by weight) in combined total than 5 percent of the combined weight of karat gold and palladium in the jewelry being repaired. A manufacturer making such repair shall, for the purpose of paragraph (b), be deemed to have produced jewelry containing only the amount of karat gold and palladium he has added. It does not include the following: (i) the sizing of a ring for the ultimate consumer when material is removed or when material is added for the purpose of sizing alone; or (ii) the addition of one or more stones, pearls or jewels to an otherwise finished article and the polishing of such article.

(4) "Karat gold" means karat gold as defined in United States Commercial Standard CS67–38 (issued by the National Bureau of Standards).

(5) "Palladium" includes the total weight of any palladium alloy containing 10 percent or more of palladium by weight.

(b) *General restrictions.* (1) In the first calendar quarter of 1944 and in each calendar quarter after that, no manufacturer shall produce jewelry containing more karat gold and palladium (by weight) in combined total than a weight computed by adding 18¾% of the weight of karat gold and palladium and 37½% of the weight of platinum contained in jewelry produced by him in 1941.

(2) The restrictions in paragraph (b) do not apply to a manufacturer who produced jewelry in 1941 containing karat gold or palladium or platinum and who now in any calendar quarter does not produce jewelry containing more karat gold and palladium (by weight) in combined total than 250 ounces.

(c) *Applicability of other orders and regulations.* (1) This order and all transactions affected by this order are subject to the applicable regulations of the War Production Board. If any other order of the War Production Board limits the use of any material in the production of jewelry (as defined in this order) to a greater extent than does this order, the other order shall govern unless it states otherwise.

(2) Notwithstanding the restrictions contained in Order M–9–c, as amended from time to time, karat gold containing not more than 45% copper (by weight) may be used in the production of jewelry within the quota established by this order.

(d) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(e) *Appeals.* Any appeal from this order should be made on Form WPB–1477 (formerly PD–500) and should be filed with the field office of the War Production Board for the district in which is located the plant to which the appeal relates.

(f) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to the War Production Board, Consumers Durable Goods Division, Washington 25, D. C., Ref.: L–45.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44–6039; Filed, April 28, 1944; 11:19 a. m.]

PART 3292—AUTOMOTIVE VEHICLES, PARTS AND EQUIPMENT

[Limitation Order L–322, as Amended Apr. 28, 1944]

JACKS, MECHANICAL, HYDRAULIC, AIR AND ELECTRICALLY OPERATED

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of iron, steel and other critical materials entering into the production of mechanical, hydraulic, air and electrically operated jacks for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3292.116 *Limitation Order L–322*—(a) *Definitions.* For the purpose of this order:

(1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons whether incorporated or not.

(2) "Producer" means any person engaged in the manufacture or assembly of mechanical, hydraulic, air or electrically operated jacks.

(3) "Jack" means any lifting, supporting, pulling, pushing, or bending device listed in Schedules A and B to this order.

(4) "Non-military production" means any mechanical, hydraulic, air or electrically operated jacks produced or assembled except under contracts or orders for delivery to the United States Army, Navy, Maritime Commission or the War Shipping Administration.

(b) *Restriction on production.* On and after November 15, 1943, no producer shall manufacture or assemble any jack except of a model, size, and capacity listed in Schedules A and B of this order.

(c) *Restriction on distribution.* Notwithstanding the provisions of Priorities Regulation Number 1, commencing with the month of November, 1943, and each month thereafter, each producer shall retain, for delivery against orders rated on Form WPB–547, a minimum of twenty-five (25) percent of the number of 3, 5, 8, 12, and 20-ton capacity hydraulic self-contained (hand operated) jacks manufactured or assembled by him in non-military production.

(1) In the event that in any month a producer's orders rated on Form WPB–547, do not equal twenty-five (25) percent of his non-military production of 3, 5, 8, 12, and 20-ton capacity hydraulic self-contained (hand operated) jacks, he may deliver the balance of his non-military production, not covered by such orders, against other orders.

(d) *Restriction on sales.* On and after November 15, 1943, no producer shall sell, transfer, or deliver, to any person any jacks listed in Schedule A or B to this order, except pursuant to orders bearing preference ratings of AA–5 or higher. The provisions of this paragraph (d) shall not apply to repair parts for mechanical, hydraulic, air or electrically operated jacks.

(e) *Exceptions to applicability of this order.* The terms and restrictions of paragraph (b) of this order shall not apply, until February 1, 1944, to jacks produced under contracts or orders for delivery to or for the account of the United States Army, Navy, Maritime Commission or the War Shipping Administration.

(f) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment or both. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing Form WPB–1477 in triplicate with the Field Office of the War Production Board for the district in which is located the plant or branch of the appellant to which the appeal relates, stating therein the information called for.

(h) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board as amended from time to time, except as stipulated in paragraph (c).

(i) *Communications.* All communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Automotive Division, Washington 25, D. C., reference: L–322.

Issued this 28th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

SCHEDULE A

NOTE: Items I, VI, XIV, XV, and XIX amended Apr. 28, 1944.

Item	Capacity tons	Number models permitted	Number sizes permitted per model	Closed height specifications
I. Ratchet lever automatic lowering jacks (rigid base).	5	1	3	14″ to 21″.
	10	1	1	21″ to 22″.
	15	1	2	22″ to 28″.
	20	1	1	28″ to 29″.
II. Ratchet lever automatic lowering jacks (hinged base).	15	1	1	22″ to 23″.
III. Ratchet lever automatic lowering pole jacks.	5	1	1	28″ to 50″.
	15	1	1	37″ to 38″.
IV. Ratchet lever automatic lowering cable reel jacks.	5	1	1	20″ to 21″.
	10	2	2	24½″ to 40″.
V. Cable reel screw jacks..	--------	2	6	15″ to 30″ x 1¾″. 2″ or 2½″ screw.

Item	Capacity tons	Number models permitted	Number sizes permitted per model	Closed height specifications
VI. Telescope screw jacks....	3	1	1	7″ to 11″.
	5	1	1	7″ to 13″.
NOTE: Capacity of bumper and tool box type jacks shall be measured by load raising ability through entire jacking range from minimum to maximum height.	8	1	1	8″ to 11″.
	10	1	1	10″ to 14″.
	12	1	1	8″ to 13″.
	20	1	1	9½″ to 27″.
	25	1	1	20″ to 22″.
VII. Telescope scissors screw jacks—mechanical.	3	1	1	4″ to 6″
VIII. Track or trip jacks single acting.	15	1	4	10½″ to 29″.

SCHEDULE A—Continued

Item	Capacity tons	Number models permitted	Number sizes permitted per model	Closed height specifications
IX. Track or trip jacks double acting.	15	1	2	22″ to 31″.
X. Combination trip and automatic lowering jacks.	15	1	1	22″ to 23″.
XI. Geared automatic lowering jacks.	25	1	1	27″ to 28″.
	35	1	1	27″ to 28″
	50	1	1	27″ to 28″
XII. Journal jack (standard speed).	15	1	1	10″.
	25	1	1	10″.
	35	1	1	10″.
	50	1	1	10″ to 17″
XIII. Jacks on traversing bases (complete units).	10	1	1	
	25	1	1	
	35	1	1	
XIV. Standard speed bevel gear screw jacks.	10	1	1	14″.
	15	2	2	14″ to 22″.
	25	2	2	20″ to 28″.
	35	2	2	22″ to 27″.
	50	2	2	12″ to 27″.
	75	1	1	24″ to 27″
XV. Self lowering bevel gear screw jacks.	20	1	1	28″.
	25	2	2	26″ to 28″.
	35	2	4	22″ to 20″.
	50	2	4	20″ to 36″
	75	1	1	26″.
	100	1	1	26″.
XVI. Bell bottom jack screws four way head.	----------	1	19	1″ screw x 6″. 1¼″ screw x 6″–8″–10″. 1½″ screw x 8″–10″–12″. 1¾″ screw x 10″–12″–14″. 2″ screw x 10″–12″–14″–16″. 2½″ screw x 10″–12″–14″–16″–18″.
XVII. Bell bottom jack screws ratchet head.	----------	1	12	1¾″ screw x 10″–12″–14″. 2″ screw x 10″–12″–14″–16″. 2½″ screw x 10″–12″–14″–16″–18″.
XVIII. Shoring or house raising jack screws.	----------	1	8	2″ screw x 10″–12″–14″–16″. 2½″ screw x 12″–16″–18″–20″.
XIX. Hydraulic self contained jacks (hand operated).	3	1	2	7″ to 11″.
	5	1	2	7″ to 13″.
	8	1	2	8″ to 11″.
	12	1	2	8″ to 13″.
	20	2	2	7½″ to 22″.
	25 or 30	2	2	7½″ to 15″.
NOTE: Capacity of bumper and tool box type jacks shall be measured by load raising ability through entire jacking range from minimum to maximum height.				
XX. Wheel type service or shop jacks—hydraulic or mechanical (only as permitted in Limitation Order L–270).	1½	1	1	
	4	1	1	
	10	1	1	
XXI. Transmission jacks only as permitted in Limitation Order L–270).	½ ton or over	1	1	
XXII. Power jacks (air and/or electric operated).	20	1	1	28″.
	50	1	2	28″ and 36″.
	100	1	2	26″ and 44″
XXIII. Hydraulic self-contained heavy duty jacks (hand operated).	10	2	1	22″ to 30″.
	15	2	2	25″ to 33″.
	20	2	1	22″ to 27″.
	25 or 30	3	1	20″ to 30″.
	50 or 60	2	1	11″ to 30″.
	100	2	1	11″ to 30″.
	125	2	1	20″ to 30″.
	150	2	1	20″ to 30″.

SCHEDULE B

The following types and models of mechanical and hydraulic jacks have not been simplified and may be produced by manufacturers, unless they are prohibited by other orders of the War Production Board:

Aircraft jacks, wing, tail, nose, bomber, tripod, testing, turret
Push-pull jacks
Steamboat jacks
Adjustable mine roof jacks
Mine timber jacks
Mine post puller jacks
Anchor or hold down jacks
Cable and wire extension jacks
Pipe pulling and pushing jacks
Pull rod jacks
Planer or machinists jacks
Oil Well circle jacks
Suspension type journal jacks
Independent pumps and rams
Under aircraft jacks
Aircraft axle jacks
Float bridge jacks
Bolt pulling and/or forcing jacks
Pipe bending jacks
Rail bending jacks
Hydraulic jenny puller jacks
Hydraulic or mechanical pit jacks (five-ton or over)
Jacks; designed as an integral part of special military equipment, vehicle or vessel, or for specific uses in connection with military equipment, vehicle or vessel, or as a component part of a product and included in the sales price of that product as original equipment.
Farm utility jacks

[F. R. Doc. 44–6046; Filed, April 28, 1944; 11:20 a. m.]

Chapter XI—Office of Price Administration

PART 1300—PROCEDURE

[Procedural Reg. 9,[1] Amdt. 13]

UNIFORM APPEAL PROCEDURE UNDER RATION ORDERS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Procedural Regulation No. 9 is amended in the following respects:

1. Section 1300.603 is amended by adding a new sentence to read as follows:

However, if the appellant shows good cause for his failure to file his appeal within the time prescribed by this section, such thirty day period may be waived.

2. Section 1300.604 is amended by adding the words "Except as provided for in § 1300.608b" before the first word of the first sentence.

3. Section 1300.605 (g) is amended by adding the phrase "except as permitted in § 1300.603" at the end of the first sentence.

4. Section 1300.607 is amended by adding the words "Except in the case of appeals brought under the provisions of § 1300.608b" before paragraph (a).

5. Section 1300.607 (d) is amended by amending the second sentence to read as follows:

Thereafter there shall be no further right of appeal, except as permitted in § 1300.603.

6. Section 1300.608 (d) is amended by adding the words "except in the case of appeals brought under the provisions of § 1300.608b" after the words "District Director" in the first paragraph.

7. Section 1300.608 (e) is amended by adding the words "except in the case of appeals brought under the provisions of § 1300.608b," after the words "record of the case" in the first sentence thereof.

8. Section 1300.608b is added to read as follows:

§ 1300.608b. *Appeals where there is no District Director; how brought.* Notwithstanding any other provision of this regulation:

(a) Appeals pending May 2, 1944 or taken thereafter from the action of a Board in counties where there is no District Director shall be to the Regional Administrator and shall be brought by the persons entitled to bring such appeals as if the said appeals were being taken to a District Director under the provisions of § 1300.604 substituting, for the purposes of this section only, the words "Regional Administrator" for "District Director" wherever they appear in said § 1300.604.

(b) The Regional Administrator shall keep an appeal docket for such appeals similar to, but separate from, that main-

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 8796; 8 F.R. 856, 1838, 2030, 2594, 2941, 4350, 4929, 7381, 11480, 11806, 14211; 9 F. R. 1599.

tained under the provisions of § 1300.607 (a) for appeals taken from decisions of District Directors.

(c) The Regional Administrator may in cases provided for in this section require the appellant to present additional pertinent information.

(d) Appeals to the Regional Administrator in the cases provided for in this section shall be decided by the Regional Administrator, who may affirm, modify or reverse the decision of the Board. The decision shall be in writing and copies shall be mailed to the appellant and to the Board. The decision shall direct the Board to take such action as may be necessary to give effect thereto.

(e) If no statement of appeal to the Washington Office is filed with the Regional Administrator from a decision in cases brought under the provisions of this section within 30 days after the appellant has been notified of the Regional Administrator's decision, the record shall be closed and shall remain on file in the Regional Administrator's office, except that documents which are necessary to present or future action of the Board shall be returned to the Board. Thereafter there shall be no further right of appeal except as permitted in § 1300.603.

9. Section 1300.611 (a) is amended by deleting the word "Boston" appearing between the words "Massachusetts" and "New Hampshire."

10. Section 1300.611 (b) is amended by deleting the words "New York" appearing between the words "Binghamton" and "Albany."

This amendment shall become effective May 2, 1944.

(Pub. Law 671, 76th Cong. as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. 1, 7 F.R. 562; Sec. of Agr. Food Dir. 3, 8 F.R. 2005, Food Dir. 5, 8 F.R. 2251, Food Dir. 6, 8 F.R. 3471, Food Dir. 7, 8 F.R. 3471, Food Dir. 8, 8 F.R. 7093)

Issued this 28th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6054; Filed, April 28, 1944; 11:23 a. m.]

PART 1340—FUEL

[MPR 120, Corr. to Amdt. 91]

BITUMINOUS COAL DELIVERED FROM MINE OR PREPARATION PLANT

In § 1340.220 (c) the date, January 28, 1944, is corrected to read January 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F. R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6057; Filed, April 28, 1944; 11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MPR 373, Amdt. 49]

GROCERY ITEMS IN THE TERRITORY OF HAWAII

Correction

In F.R. Doc. 44-5563, appearing at page 4240 of the issue for Thursday, April 20, 1944, the following changes should be made in the tables under paragraph (e) (5):

In table (i), the maximum price at wholesale for tomatoes, large, wrapped, in standard lugs, should be ".16".

In table (ii), the maximum price at wholesale for bananas, hands, Bluefield, should be ".05".

In table (iv), the maximum price at retail for Swiss chard, bunched or loose, should be ".06".

In table (v), the maximum price at wholesale for okra should be ".09".

In table (vi), for eggplant, round and half long, the maximum price at retail should be ".06".

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[RMPR 130,[1] Amdt. 7]

NEWSPRINT PAPER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 130 is amended in the following respect:

1. Section 1347.283 (c) (2) is amended to read as follows:

(2) *Light weight quality.* There may be added to the maximum prices hereinabove established, a price differential not in excess of $4.00 per ton for light weight newsprint paper as hereinbefore defined: *Provided, however,* That with respect to newsprint paper manufactured outside the continental United States such light weight differential not to exceed $4.00 per ton shall be effective only during the period commencing May 1, 1944 and expiring July 31, 1944.

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6056; Filed, April 28, 1944; 11:23 a. m.]

*Copies may be obtained from the Office of Price Administration.

[1] 7 F.R. 9251, 10255; 8 F.R. 1586, 2670, 7766, 11382, 16918; 9 F.R. 3589.

PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[MPR 528]

TIRES AND TUBES, RECAPPING AND REPAIRING

Correction

In F.R. Doc. 44-5640, appearing at page 4291 of the issue for Friday, April 21, 1944, the table which appears between Table B-VII and Table B-VIII should be a part of footnote 1.

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[MPR 507,[1] Amdt. 3]

CEILING PRICES OF CERTAIN FRESH FISH AND SEAFOOD SOLD AT RETAIL

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 507 is amended in the following respect:

In section 26, the heading of Table A is amended to read as follows: "Cents-per-pound mark-ups over 'net cost' allowed to retailers for fresh fish and seafood covered by this regulation, by species, for the months of January, February, March, April and May."

This amendment shall become effective April 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 28th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6055; Filed, April 28, 1944; 11:23 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 25,[2] Amdt. 23]

In § 1388.1201 of Designation and Rent Declaration 25, items 104 and 230 are amended and item 268 is added to read as follows:

(104), Jackson Michigan, Michigan, Counties of Jackson and Lenawee.

(230), Salt Lake City, Utah, Counties of Box Elder, Cache, Davis Morgan, Salt Lake, Tooele, and Weber.

Nevada, Portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State line.

[1] 9 F.R. 607, 3511, 3512.

[2] 7 F.R. 3195, 3892, 4179, 5812, 6389, 7245, 8356, 8507, 9954, 10081; 8 F.R. 121, 1228, 4779, 5738, 9021, 10738, 12094, 12919, 14763, 15581, 16208, 17297; 9 F.R. 971, 3230.

(268), Monroe, Michigan, Michigan, County of Monroe.

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6052; Filed, April 28, 1944; 11:22 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Designation and Rent Declaration 31,[1] Amdt. 17]

In § 1388.1341 of Designation and Rent Declaration 31, items 9, 24, 29, and 45 are amended and items 83, 84, and 85 are added to read as follows:

(9) Illinois, Illinois, That portion of the State of Illinois not heretofore designated by the Price Administrator as part of any defense-rental area, except the Counties of De Kalb, Fulton, Kankakee, Knox, La Salle, McDonough, and Mason.

(24) Nevada, Nevada, That portion of the State of Nevada not heretofore designated by the Price Administrator as part of any defense-rental area, except that portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State Line.

(29) North Carolina, North Carolina, That portion of the State of North Carolina not heretofore designated by the Price Administrator as part of any defense-rental area, except the Counties of Alamance, Buncombe, Chowan, Edgecombe, Moore, Nash, Pender, and Perquimans.

(45) Wyoming, Wyoming, That portion of the State of Wyoming not heretofore designated by the Price Administrator as part of any defense-rental area, except the County of Converse.

(83) Galesburg, Illinois, County of Knox.

(84) Pender County, North Carolina, County of Pender.

(85) Douglas, Wyoming, County of Converse.

This amendment shall become effective May 1, 1944.

(56 Stat. 23, 765)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6051; Filed, April 28, 1944; 11:22 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Hotels and Rooming Houses,[2] Amdt. 18]

Items 91a, 154a, 221b and 369a are added to Schedule A of the Rent Regulation for Hotels and Rooming Houses and items 151 and 336 in the said Schedule A are amended to read as follows:

Name of Defense-Rental Area	State	County or Counties in Defense-Rental Area under rent regulation for hotels and rooming houses	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(91a) Galesburg	Illinois	Knox	July 1, 1943	May 1, 1944	June 15, 1944
(151) Jackson, Michigan.	Michigan	Jackson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Michigan	Lenawee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(154a) Monroe, Michigan.	Michigan	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(221b) Pender County.	North Carolina	Pender	Jan. 1, 1943	May 1, 1944	June 15, 1944
(336) Salt Lake City.[1]	Utah	Davis, Morgan, Salt Lake, and Weber.	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Utah	Box Elder	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Utah	Tooele	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Nevada	Portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State Line.	Mar. 1, 1942	May 1, 1944	June 15, 1944
(369a) Douglas	Wyoming	Converse	Mar. 1, 1943	May 1, 1944	June 15, 1944

[1] This regulation is applicable only to that portion of the defense-rental area set forth in the third column of this Schedule A.

This amendment shall become effective May 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6050; Filed, April 28, 1944; 11:22 a. m.]

PART 1388—DEFENSE-RENTAL AREAS

[Rent Reg. for Housing,[1] Amdt. 22]

Items 91a, 154a, 221b and 369a are added to Schedule A of the Rent Regulation for Housing and items 151 and 336 in the said Schedule A are amended to read as follows:

Name of Defense-Rental Area	State	County or counties in Defense-Rental Area under rent regulation for housing	Maximum rent date	Effective date of regulation	Date by which registration statement to be filed (inclusive)
(91a) Galesburg	Illinois	Knox	July 1, 1943	May 1, 1944	June 15, 1944
(151) Jackson, Michigan.	Michigan	Jackson	Mar. 1, 1942	Sept. 1, 1942	Oct. 16, 1942
	Michigan	Lenawee	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(154a) Monroe, Michigan.	Michigan	Monroe	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
(221b) Pender County.	North Carolina	Pender	Jan. 1, 1943	May 1, 1944	June 15, 1944
(336) Salt Lake City[1]	Utah	Davis, Morgan, Salt Lake, and Weber.	Mar. 1, 1942	Aug. 1, 1942	Sept. 15, 1942
	Utah	Box Elder	Mar. 1, 1942	Oct. 1, 1942	Nov. 15, 1942
	Utah	Tooele	Mar. 1, 1942	Nov. 1, 1942	Dec. 16, 1942
	Nevada	Portion of Elko County situated within a radius of three miles from the center of U. S. Highway 40, where the said highway crosses the Nevada-Utah State line.	Mar. 1, 1942	May 1, 1944	June 15, 1944
(369a) Douglas	Wyoming	Converse	Mar. 1, 1943	May 1, 1944	June 15, 1944

[1] This regulation is applicable only to that portion of the defense-rental area set forth in the third column of this schedule A.

This amendment shall become effective May 1, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765)

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6053; Filed, April 28, 1944; 11:22 a. m.]

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[1] 7 F.R. 7942; 8 F.R. 122, 1229, 1749, 4779, 5738, 5739, 10739, 12099, 12624, 13920, 14112, 14687, 15581, 16209; 9 F.R. 972, 3232.

[2] 9 F.R. 2165, 2290, 3231, 3421, 4194.

[1] 8 F.R. 14663, 14815, 15585, 16032, 16208, 16427, 17297; 9 F.R. 206, 972, 2176, 2289, 3231, 3422, 4028.

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Rev. RO 13,[1] Amdt. 10 to 2d Rev. Supp. 1]

PROCESSED FOODS

Section 1407.1102 (c) (6) is added to read as follows:

(6) For the reporting period beginning April 30, 1944 and ending June 3, 1944—3.5.

This amendment shall become effective April 29, 1944.

Issued this 28th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-6058; Filed, April 28, 1944; 11:23 a. m.]

PART 1418—TERRITORIES AND POSSESSIONS

[MFR 395, Amdt. 18]

PIECE GOODS ON VIRGIN ISLANDS

Correction

In F. R. Doc. 44-5461, appearing at page 4194 of the issue for Thursday, April 20, 1944, the heading for the middle column in Table XXVI should read "Sales in the municipality of St. Thomas and St. John"; the dollar signs before the multipliers should be deleted.

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter III—Coast Guard: Inspection and Navigation

PART 312—PILOT RULES FOR INLAND WATERS

PILOT RULES

By virtue of the authority vested in me by section 2, 30 Stat. 102, 38 Stat. 381 (33 U.S.C. 157) and Executive Order No. 9083, dated February 28, 1942 (7 F.R. 1609), the following amendment to the Inspection and Navigation regulation is prescribed:

The document dated February 5, 1944, published in 9 F.R. 1535, as amended by document dated March 31, 1944, published in 9 F.R. 3515, is further amended by changing the effective date to read January 1, 1945, instead of May 1, 1944.

Dated: April 28, 1944.

R. R. WAESCHE,
Vice Admiral, U. S. Coast Guard, Commandant.

[F. R. Doc. 44-6062; Filed, April 28, 1944; 11:39 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service

[Reg. T-10, Amdt.]

PART 261—TRESPASS

SETTLEMENT OF TRESPASS CASES

By virtue of the authority vested in the Secretary of Agriculture by the Act of June 4, 1897 (30 Stat. 35; 16 U.S.C. 551), and the Act of February 1, 1905 (33 Stat. 628; 16 U.S.C. 472), the sixth sentence of Regulation T-10 of the rules and regulations governing the occupancy, use, protection and administration of the national forests, which constitutes § 261.12, Part 261, Chapter II, Title 36, Code of Federal Regulations (as amended February 29, 1940; 5 F.R. 933), is hereby amended to read as follows:

§ 261.12 *Settlement of trespass cases.* * * *

Civil trespasses requiring the institution of legal proceedings which involve a new or unusual question of law or policy, or which involve a claim for more than $1,000, shall be reported through the Chief of the Forest Service to the Solicitor for reference to the Attorney General for appropriate action.

* * * * *

In testimony whereof, I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 27th day of April 1944.

[SEAL] GROVER B. HILL,
Acting Secretary of Agriculture.

[F. R. Doc. 44-6026; Filed, April 27, 1944; 3:25 p. m.]

[1] 9 F.R. 173, 908, 1181, 2091, 2290, 2553, 2830, 2947, 3707, 3580.

Notices

DEPARTMENT OF LABOR.

Wage and Hour Division.

M. C. SCHRANK CO.

NOTICE OF EXCEPTION TO RECORD-KEEPING REQUIREMENT

Pursuant to § 516.18 of the record keeping regulations, Part 516, issued under the Fair Labor Standards Act of 1938, authority is hereby granted to the M. C. Schrank Company, Bridgeton, New Jersey, to discontinue preserving its employees' piece-work tickets for the period required by § 516.15 (a) (1) of the record keeping regulations: *Provided,* That these piece-work tickets are preserved for not less than 90 days, and that the weekly totals of piece work performed by each of the employees are entered in other records which shall be preserved for 4 years as required by § 516.14 of the record keeping regulations.

This authority is granted on the representations of the petitioner and is subject to revocation for cause.

Signed at New York, New York, this 20th day of April 1944.

L. METCALFE WALLING,
Administrator.

[F. R. Doc. 44-6029; Filed, April 27, 1944; 5:02 p. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-507, G-508, G-510, G-516, G-519]

HOPE NATURAL GAS CO., ET AL.

ORDER ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, REOPENING HEARING AND SETTING DATE THEREOF

APRIL 26, 1944.

In the matters of Hope Natural Gas Company, Docket No. G-507; New York State Natural Gas Corporation, Docket No. G-508; The Manufacturers Light and Heat Company, and Manufacturers Gas Company, Docket No. G-510; United Fuel Gas Company, Docket No. G-516; Home Gas Company, Docket No. G-519.

Upon consideration of the entire record herein, the Commission, having this day adopted its Opinion No. 114, which is referred to and made a part hereof by reference, finds that:

(1) The public convenience and necessity require the delivery into the area to be served of the additional quantities of natural gas necessary to provide adequate service in the face of declining local production.

(2) The proposed construction and operation by Hope Natural Gas Company and New York State Natural Gas Corporation are and will be required by the present and future public convenience and necessity, and certificates therefor should be issued as hereinafter ordered and conditioned.

(3) Said applicants are able and willing properly to do the acts and perform the service proposed and to conform to the provisions of the Natural Gas Act, as amended, and the requirements, rules, and regulations of the Commission thereunder.

(4) It is necessary and appropriate in the public interest that these proceedings should be reopened for the purpose of hearing additional evidence and further argument, as hereinafter ordered.

The Commission orders that:

(A) A certificate of public convenience and necessity be and it is hereby issued authorizing Hope Natural Gas Company to construct and operate its proposed facilities which are described in the Commission's Opinion No. 114 and more fully set forth in that company's application in Docket No. G-507, for the transportation and sale of natural gas to New York State Natural Gas Corporation, upon the terms and conditions of this order.

(B) A certificate of public convenience and necessity be and it is hereby issued authorizing New York State Natural Gas Corporation to construct and operate its proposed facilities which are described in the Commission's Opinion No. 114 and more fully set forth in that corporation's application in Docket No. G-508, for the transportation and sale of natural gas, subject to the jurisdiction of the Commission, upon the terms and conditions of this order.

(C) Until further order of the Commission, the facilities herein authorized shall be operated exclusively for the purpose of enabling Hope Natural Gas Company and New York State Natural Gas Corporation to supply the natural-gas requirements of the following-named customers of New York State Natural Gas Corporation in accordance with the terms and provisions of existing contracts covering the sale and delivery of such requirements, limited, however, to the maximum annual quantities of natural gas set forth in the following tabulation:

	Annual volume (Mcf)
New York State Electric & Gas Corporation	1,900,000
Central New York Power Corporation	3,300,000
Empire Gas & Fuel Co. (Pa.)	303,750
Godfrey L. Cabot, Inc.	592,750
North Penn Gas Co. and Allegany Gas Co	1,581,250
Penn-York Natural Gas Corporation	1,718,000

(D) Hope Natural Gas Company and New York State Natural Gas Corporation shall commence the construction of the facilities herein authorized at the earliest practicable date after the issuance of this certificate and shall complete such construction not later than November 1, 1944.

(E) Hope Natural Gas Company and New York State Natural Gas Corporation shall report to the Commission in writing, under oath, the completion date of the facilities herein authorized, and the date the same are put in operation.

(F) The certificates granted hereby shall not be transferable and are without prejudice to the authority of this Commission or any other regulatory body with respect to rates, service, accounts, valuation, estimate or determination of cost, or any other matters whatsoever now pending or which may come before this Commission or other regulatory body, and nothing herein shall be construed as an acquiescence by this Commission in any estimate or determination of cost or any valuation of property claimed or asserted.

(G) Nothing herein is to be construed as affecting in any manner the determination of the service area of Hope Natural Gas Company or New York State Natural Gas Corporation or of any other natural-gas company under section 7 (f) of the Natural Gas Act.

(H) The certificates granted hereby shall be effective as long as Hope Natural Gas Company and New York State Natural Gas Corporation continue the operations and acts hereby authorized in accordance with the provisions of the Natural Gas Act and any pertinent rules, regulations or orders heretofore or hereafter issued by the Commission.

(I) Appropriate evidence of the issuance of these certificates shall be furnished to Hope Natural Gas Company and New York State Natural Gas Corporation.

(J) These proceedings shall be reopened and further hearings held commencing on May 16, 1944, at 9:45 a. m., in the Commission's Hearing Room, Hurley-Wright Building, 1800 Pennsylvania Avenue, N. W., Washington, D. C., for the limited purpose of hearing additional evidence (1) by The Manufacturers Light and Heat Company, Manufacturers Gas Company, United Fuel Gas Company and Home Gas Company to show why, in addition to the facilities herein authorized, the public convenience and necessity require the construction and operation of all or any part of the facilities for which they have made applications in Docket Nos. G–510, G–516 and G–519, and (2) by Hope Natural Gas Company and New York State Natural Gas Corporation to show why, if they should hereafter be authorized to supply the requirements of United Natural Gas Company and Home Gas Company, they should not substantially meet the terms set forth by United Fuel Gas Company, The Manufacturers Light and Heat Company, and Manufacturers Gas Company in their contracts covering service to such companies.

(K) Interested State Commissions and interveners of record may continue participation in these proceedings as provided in the provisional rules of practices and regulations under the Natural Gas Act, such participation to be confined, however, to the issues as defined in paragraph (J), above.

By the Commission.

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 44–6034; Filed, April 28, 1944; 10:08 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 203]

REROUTING OF COAL FROM CLINCH AND HARRISBURG, ILL.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 27th day of April, A. D. 1944.

It appearing, that due to flood conditions at Alton, Illinois, the barge lines are unable to accept traffic from the Illinois Terminal Railroad Company; in the opinion of the Commission an emergency exists requiring immediate action to best promote the service in the interest of the public and the commerce of the people, *It is ordered*, That:

(a) *Flood conditions at Alton, Illinois; rerouting.* Effective at once and until further order of the Commission the Illinois Terminal Railroad Company is hereby directed to forward the following cars of coal consigned by the Peabody Coal Company; 39 cars of coal from Clinch, Illinois, to Minneapolis, Minnesota; 26 cars of coal from Harrisburg, Illinois, to Winona, Minnesota; 22 cars of coal from Clinch, Illinois, to Genoa, Wisconsin, via the most available all-rail routes to expedite its movement and prevent congestion, without regard to the routing thereof made by shippers or by carriers from which these cars have been received or to the ownership of cars, and that all rules, regulations, and practices of said carriers with respect to car service are hereby suspended and superseded only insofar as they conflict with the directions hereby made: *Provided*, That the billing covering all cars rerouted shall carry a reference to this order as authority for the rerouting.

(b) *Rates to be applied.* Inasmuch as the routing of traffic pursuant to this order is due to the disability of the barge lines, the rates applicable to traffic routed pursuant to this order shall be the same as would have applied over the all-rail routes from points of origin to points of destination.

(c) *Division of rates.* In executing the orders and directions of the Commission provided for in this order the common carriers involved shall proceed even though no contracts, agreements, or arrangements now exist between them with reference to the divisions of the rates of transportation applicable to said traffic; such divisions shall be, during the time this order remains in force, voluntarily agreed upon by and between said carriers; and upon failure of the carriers to so agree, said divisions shall be hereafter fixed by the Commission in accordance with pertinent authority conferred upon it by the Interstate Commerce Act. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)–(17), 15 (4))

It is further ordered, That copies of this order and direction shall be served upon the Illinois Terminal Railroad Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 44–6060; Filed, April 28, 1944; 11:40 a. m.]

[S. O. 117, Special Permit 2]

TRANSPORTATION OF BANANAS FROM MEXICO

Pursuant to the authority vested in me by paragraph (b) of the first ordering paragraph (§ 95.9) of Service Order No. 117 of April 13, 1943, permission is hereby granted for any common carrier by railroad subject to the Interstate Commerce Act:

To accept or move bananas in carloads originating in Mexico and moving through the United States all rail to points in Canada, to Bondi Better Bananas, Toronto, in addition to the monthly quota, of 17 cars for April, 1944, 11 cars to Detroit, Michigan, with car numbers as follows:

PFE 15720	PFE 28859
31739	50980
73565	76019
41914	30900
42615	38800
42569	

Bills of lading and waybills shall show reference to this special permit.

A copy of this permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 27th day of April 1944.

R. S. BOOTH,
Acting Director,
Bureau of Service.

[F. R. Doc. 44–6061; Filed, April 28, 1944; 11:40 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Supp. Order ODT 20A–103]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN DENVER, COLO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Denver, Colorado, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Denver, Colorado, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–103" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Denver, Colorado.

8. This order shall become effective May 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Forrest M. Woods, dba Dollar Cab Lines, Denver, Colo.
Ed W. Dundon, dba Checker Cab Co., Denver Colo.
Lloyd Woods and Nathan R. Kobey, dba Publix Cab Co., Denver, Colo.
W. F. Marlar, dba Bill's Cab Co., Denver, Colo.
Leslie E. Powell, dba Green & White Cab Co., Denver, Colo.
Joe Benov, dba Joe's Cab Co., Denver, Colo.
Willard T. Lewis, dba Ritz Cab Co., Denver, Colo.
Byron G. Rogers, dba John's Cab Co., Denver, Colo.

[F. R. Doc. 44–6035; Filed April 28, 1944, 10:45 a. m.]

[Supp. Order ODT 20A–104]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MOBERLY, MO., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Moberly, Missouri, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered*, That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Jefferson City, Missouri, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order

[1] Filed as part of the original document.

and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–104" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Jefferson City, Missouri.

8. This order shall become effective May 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX I

Jess Lee Bass, dba City Cab Co., Moberly, Mo.
Roy Clark, dba City Cab Co., Moberly, Mo.
C. R. Crews, dba City Cab Co., Moberly, Mo.
Virgil Rafferty, dba City Cab Co., Moberly, Mo.
Ernest Staples, dba City Cab Co., Moberly, Mo.
Harold White, dba City Cab Co., Moberly, Mo.
N. D. Casto, dba Oliver Cab Co., Moberly, Mo.

[F. R. Doc. 44–6036; Filed, April 28, 1944; 10:45 a. m.]

[Supp. Order ODT 20A–105]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN SARATOGA SPRINGS, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Saratoga Springs, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–105" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Albany 7, New York.

8. This order shall become effective May 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

William McCarty, d/b/a McCarty Taxi Service, 19 Church Street, Saratoga Springs, N. Y.
Dewey Senecal, d/b/a Dewey's Taxi, 3 Congress Avenue, Saratoga Springs, N. Y.
Howard E. Baker, d/b/a Baker's Taxi, 254 Church Street, Saratoga Springs, N. Y.
Peter E. Smith, 28 Marion Place, Saratoga Springs, N. Y.
Martin Van Steele, 87 Nelson Avenue, Saratoga Springs, N. Y.
Saratoga Central Taxi, Inc., Manfred Connors, South Broadway, Saratoga Springs, N. Y.
Albert Lanzara, Al's Taxi, 194½ Caroline Street, Saratoga Springs, N. Y.
James & Nicholas Del Vecchio, Jim and Nick's Taxi, 143 West Circular Street, Saratoga Springs, N. Y.
Anthony Corona, 79 Beekman Street, Saratoga Springs, N. Y.
John Mark, d/b/a Johnnie's Taxi, 56 Ash Street, Saratoga Springs, N. Y.
William B. Rowland, 11 Pinewood Avenue, Saratoga Springs, N. Y.
Elizabeth Verro, d/b/a Verro's Taxi, 19 Joseph Street, Saratoga Springs, N. Y.
James & Catherine Tarantino, d/b/a Joe's Taxi, 21 Lake Avenue, Saratoga Springs, N. Y.

[F. R. Doc. 44–6037; Filed, April 28, 1944; 10:45 a. m.]

[Supp. Order ODT 20A–106]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN GLOVERSVILLE, N. Y., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,[1] and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Gloversville, New York, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered,* That:

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the

[1] Filed as part of the original document.

appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Albany, New York, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A–106" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Albany, New York.

8. This order shall become effective May 5, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 28th day of April 1944.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

APPENDIX 1

Emory Aird, d/b/a Aird's Taxi, 35 N. Arlington Avenue, Gloversville, N. Y.

Robert H. Lee, d/b/a Central Cab, 33 S. Main Street, Gloversville, N. Y.

Raymond Benton, South Main Street, Gloversville, N. Y.

[F. R. Doc. 44–6038; Filed, April 28, 1944; 10:45 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 1545]

MARTIN LEATHERMAN MFG. CO.

AUTHORIZATION OF MAXIMUM PRICES

Order No. 1545 under § 1499.158 of Maximum Price Regulation No. 188. Manufacturers' maximum prices for specified building materials and consumers' goods other than apparel.

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, *It is ordered:*

(a) The maximum prices for all sales and deliveries by Martin Leatherman Manufacturing Company, Martin Building, Little Rock, Arkansas, of two canvas folding chairs, as described in its application, after such articles became subject to Maximum Price Regulation No. 188 are those as set forth below:

	To dealers	To jobbers
	Doz.	*Doz.*
Canvas folding chair, No. 1	$24.00	$20.40
Canvas folding chair, No. 2	18.00	15.30

These maximum prices are net f. o. b. factory.

(b) Any person may sell and deliver at wholesale the canvas folding chairs manufactured by Martin Leatherman Manufacturing Company to dealers at maximum prices no higher than those set forth below, net f. o. b. shipping point.

	Dozen
Canvas folding chair, No. 1	$24.00
Canvas folding chair, No. 2	18.00

(c) At the time of or prior to the first invoice to each purchaser for resale, Martin Leatherman Manufacturing Company shall notify the purchaser for resale of the maximum prices and conditions set by this order for resale by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective on the 28th day of April 1944.

Issued this 27th day of April 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44–6027; Filed, April 27, 1944; 3:55 p. m.]

[RMPR 143, Order 14]

NEW RUBBER TIRES AND TUBES

ESTABLISHMENT OF MAXIMUM WHOLESALE PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 7 of Revised Maximum Price Regulation 143, it is ordered:

(a) *What this order covers.* This order covers all sales of imported natural rubber tires and tubes of a type, size and ply listed in paragraph (c).

(b) *Maximum wholesale prices.* The maximum wholesale prices for sales covered by this order shall be computed by deducting the following minimum discounts from the maximum retail prices listed in paragraph (c):

Tires—30%.
Tubes—35%.

(c) *Maximum retail prices.* The maximum retail prices for sales of tires and tubes covered by this order are the prices set forth below:

MAXIMUM RETAIL PRICES FOR SALES OF IMPORTED NATURAL RUBBER TIRES AND TUBES

Passenger car tires:

Size	Ply	Price
4.00 x 15	4	$9.05
4.40/4.50 x 21	4	12.80
4.40/4.50/4.75 x 21	6	15.65
4.50 x 16	4	12.35

MAXIMUM RETAIL PRICES FOR SALES OF IMPORTED NATURAL RUBBER TIRES AND TUBES—Continued

1. Passenger car tires—Continued.

Size	Ply	Price
4.50 x 16	6	$15.65
4.50 x 17	4	12.35
4.50 x 18	4	12.35
4.50 x 19	4	12.35
4.50 x 19	6	15.65
4.50 x 20	4	13.30
4.50 x 20	6	16.55
4.50 x 21	4	12.80
4.50 x 21	6	15.65
4.50/5.00 x 20	4	14.20
4.50/5.00 x 20	6	16.80
4.50/4.75/5.00 x 20	4	14.20
4.50/4.75/5.00 x 20	6	16.80
4.75 x 16	6	16.40
4.75 x 17	4	12.80
4.75 x 17	6	16.40
4.75 x 18	4	12.80
4.75 x 18	6	16.40
4.75 x 19	4	12.80
4.75 x 19	6	16.40
4.75/5.00 x 19	4	12.80
4.75/5.00 x 19	6	16.40
4.75/5.00 x 20	4	14.20
5.00 x 15	4	12.55
5.00 x 15	6	15.65
5.00 x 16	4	12.40
5.00 x 17	4	13.55
5.00 x 19	4	13.15
5.00 x 19	6	16.40
5.00 x 20	4	14.20
5.00 x 20	6	17.75
5.00 x 21	4	12.80
5.25 x 16	4	14.35
5.25 x 16	6	17.95
5.25 x 17	4	15.70
5.25 x 18	4	14.35
5.25 x 18	6	17.95
5.25 x 19	6	21.00
5.25 x 20	6	21.80
5.25 x 21	4	18.05
5.25 x 21	6	22.50
5.25/5.50 x 17	4	15.70
5.25/5.50 x 17	6	19.60
5.25/5.50 x 18	4	14.35
5.25/5.50 x 18	6	17.95
5.25/5.50 x 19	6	23.70
5.50 x 15	4	15.25
5.50 x 16	4	15.25
5.50 x 16	6	19.10
5.50 x 17	4	15.70
5.50 x 17	6	19.60
5.50 x 18	4	16.40
5.50 x 18	6	17.95
5.50 x 19	6	23.70
5.50 x 20	4	19.45
5.50 x 20	6	24.20
6.00 x 16	6	21.40
6.00 x 17	4	18.55
6.00 x 17	6	23.76
6.00 x 18	4	20.00
6.00 x 18	6	20.05
6.00 x 19	6	25.50
6.00 x 20	6	24.40
6.00 x 21	6	26.95
6.00/6.50 x 18	6	25.05
6.25 x 16	4	19.25
6.25 x 16	6	24.20
6.25/6.50 x 16	4	20.75
6.50 x 16	4	20.75
6.50 x 16	6	26.05
6.50 x 17	6	23.75
6.50 x 19	6	25.50
7.00 x 15	6	28.70
7.00 x 17	6	31.65
7.00 x 18	6	33.05
7.00 x 19	6	33.95
7.00 x 20	6	35.10
7.50 x 16	4	29.85
7.50 x 17	6	43.10
7.50 x 18	6	47.30
7.50 x 19	6	47.55

MAXIMUM RETAIL PRICES FOR SALES OF IMPORTED NATURAL RUBBER TIRES AND TUBES—Continued

2. Truck tires:

Size	Type	Ply	Price
6.00 x 16		6	$20.95
6.00 x 20		6	24.00
6.50 x 20		6	28.00
32 x 6		8	35.30
7.00 x 20		8	36.40
32 x 6		10	47.50
32 x 6	Mud & Snow	10	49.80
32 x 6		12	54.90
32 x 6	Mud & Snow	12	58.10
32 x 6½		10	50.05
32 x 6½		12	54.90
7.50 x 20		10	63.40
32 x 7		12	71.75
34 x 7	Mud & Snow	10	66.45
34 x 7		12	72.85
34 x 7	Mud & Snow	12	76.35
36 x 8		12	94.50
36 x 8		14	103.95
9.75 x 18		14	105.65
9.75 x 20		12	102.35
40 x 8		14	111.30
10.50 x 18		12	109.20

3. Passenger car tubes:

	Size	Price
	4.00 x 15	$2.80
	4.00 x 17	3.20
A17-W	4.50 x 17	3.20
A17	4.50 x 17, 4.75 x 17, 5.25 x 17	3.20
A17		3.20
	4.50 x 18	3.20
A19	4.50 x 19, 4.75 x 19	3.40
A20-21	4.50/4.75/5.00 x 20, 4.50 x 21	3.25
A21	4.50 x 21	3.25
B-15-W	5.00/5.50 x 15	3.25
	5.00 x 15	3.25
B-16-W	4.50 x 16, 5.00 x 16	3.05
B-16	5.00 x 16	3.05
B-16	5.00 x 16, 5.25 x 16	3.05
B-17	5.25 x 17, 5.50 x 17	3.85
B-17		3.85
B-17/18	5.25/5.50 x 18	3.20
B-17/18	5.00 x 17, 4.75 x 18, 5.25 x 18, 5.50 x 18	3.20
B-18	5.25 x 18	3.20
B-18-W	5.25/5.50 x 18	3.20
B-19	4.75 x 19	3.40
B-19	4.75/5.00 x 19	3.40
B-19	5.00 x 19	3.40
B-20	5.00 x 20	3.25
B-20		3.25
B-20/21		3.25
B-21		4.60
B-21	5.25 x 21	4.60
B-21/22		4.60
C-16	5.50 x 16	3.55
C-16-W	5.50 x 16, 6.00 x 16	4.25
C-17	5.25/5.50 x 17, 6.00/6.50 x 18, 6.00/6.50 x 17	4.05
C-17-W	5.25/5.50 x 17	3.85
C-17	5.25/5.50 x 17, 6.00 x 18 D. C	3.85
C-17	5.50 x 17, 6.00 x 17	3.85
C-18	5.50/6.00 x 18	3.85
C-18/19	5.25/5.50 x 19	4.05
C-18/19	5.50 x 18, 5.25 x 19, 6.00 x 18 F. B	4.05
C-18/19	6.00 x 18	3.85
C-19	5.50/6.00 x 19	4.05
C-19		4.05
C-20		4.50
C-20	6.00 x 20	4.50
C-20	6.00 x 20, 6.00 x 21	4.50
CD-16	6.00 x 16	4.25
	6.00 x 16, 6.50 x 16	5.00
D-15		5.00
D-16	6.50 x 16	5.00
D-16	6.50/7.00 x 16	5.00
D-18	6.50 x 18, 7.00 x 18	4.05
D-18/19	6.50 x 18, 6.50 x 19	4.05
D-19		4.05

MAXIMUM RETAIL PRICES FOR SALES OF IMPORTED NATURAL RUBBER TIRES AND TUBES—Continued

3. Passenger car tubes—Continued.

	Size	Price
D-19	6.50 x 19	$4.05
D-20		5.40
D-20	7.00 x 20	5.40
E-15		5.80
	7.50 x 19	6.95
B-1	Michelin	3.40
F-9	Michelin	3.85
G-2	Michelin	3.85

4. Truck tubes:

CT-20	6.00 x 20, 30 x 5	$4.15
CT-20		4.15
G-1	30 x 5	4.15
H-1	6.00 x 20	4.15
BT	7.00/7.50 x 17	5.10
	7.50 x 18	5.10
G-3	32 x 6½	5.10
	32 x 7	5.10
	7.00 x 20	5.10
	36 x 6	6.80
G-4	36 x 6	6.80
B-10	9.00 x 20	11.75
	9.75 x 18	12.25
F-8	9.75 x 18	12.25
	40 x 8	12.85
	9.75 x 22	12.95
HT-18	10.50 x 18	13.75

(d) *Posting, records, and sales slips.* All sellers at wholesale shall keep the records required by section 10 of Revised Maximum Price Regulation 143. All sellers at retail shall comply with the requirements of sections 8, 9, and 10 of Maximum Price Regulation 528, regarding the posting of maximum retail prices, the furnishing of sales slips, and the keeping of records.

(e) *Notification.* Each seller, except a seller at retail, shall furnish each buyer a notification, in writing, including the following:

(1) A statement of the maximum retail prices fixed by this order for the tires or tubes being sold.

(2) A statement that the buyer, on all sales other than at retail, must furnish his buyers written notifications of (1) and (2).

(f) This order may be revoked or amended by the Office of Price Administration at any time.

This order shall become effective May 1, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 27th day of April 1944.

JAMES F. BROWNLEE,
Acting Administrator.

[F. R. Doc. 44-6008; Filed, April 27, 1944; 11:18 a. m.]

Regional and District Office Orders.

[Region I Supp. Order 2 Under RMPR 122, Amdt. 6]

Pennsylvania Anthracite in Boston Region

Amendment No. 6 to Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Named Pennsylvania anthracite.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by §§ 1340.259 (a) (1) and 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 is hereby amended in the following respects:

1. The second sentence of the definition of "Franklin" in subparagraph (4) of paragraph (d) is deleted.

2. Subparagraph (11) of paragraph (d) is amended to read as follows:

(11) "Raven Run" means that Pennsylvania anthracite which is produced by Hazle Brook Coal Company, Jeddo, Pennsylvania, from its Continental Mines and the property of Raven Run Coal Company, an affiliated company, prepared at its Midvalley breaker and sold under that trade name, and which meets the quality and preparation standards established by Order No. 8 under Maximum Price Regulation No. 112.

This Amendment No. 6 shall become effective April 24, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 18th day of April 1944.

Eldon C. Shoup,
Regional Administrator.

[F. R. Doc. 44-5976; Filed, April 26, 1944; 3:57 p. m.]

[Region I Order G-13 Under RMPR 122, Amdt. 3]

Solid Fuels in Lynn-Salem, Mass., Area

Amendment No. 3 to Order No. G-13 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels; Lynn-Salem Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (1) of paragraph (g) of Region I Order No. G-13 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(g) *Definitions.* When used in Order G-13, the term:

(1) "Lynn-Salem Area" shall include the following cities and towns in the Commonwealth of Massachusetts: Beverly, Danvers, Essex, Hamilton, Ipswich, Lynn, Lynnfield, Manchester, Marblehead, Middleton, Nahant, Peabody, Rowley, Salem, Saugus, Swampscott, Topsfield and Wenham.

This Amendment No. 3 to Order G-13 shall become effective April 25, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 19th day of April 1944.

Eldon C. Shoup,
Regional Administrator.

[F. R. Doc. 44-5973; Filed, April 26, 1944; 3:56 p. m.]

[Region I Order G-60 Under RMPR 122, Amdt. 1]

Solid Fuels in Springfield-Claremont, Vt.-N. H., Area

Amendment No. 1 to Order No. G-60 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Springfield-Claremont Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, subparagraph (2) of paragraph (b) of Region I Order No. G-60 under Revised Maximum Price Regulation No. 122 is amended to read as follows:

(b) *Price Schedule I.* Sales on a delivered basis.

* * * * * *

(2) *Additions to base prices*—(a) *Vermont.* Any dealer whose place of business is located in that portion of Vermont which is included in the Springfield-Claremont Area shall deliver at the base maximum price to those points to which delivery was made without extra charge during December, 1941. For deliveries for which an extra charge was made during December, 1941 (other than carry charges, which are specifically provided for hereinafter), the dealer may add to the base maximum price the extra amount which he charged for delivery to that point during December, 1941.

(b) *New Hampshire.* Any dealer whose place of business is located in that portion of New Hampshire which is included in the Springfield-Claremont Area shall deliver at the base maximum price to all points which are located not more than two (2) miles from his yard. For deliveries to points which are located more than two (2) miles from his yard, the dealer may add the following amounts to the base maximum prices for quarter-ton or larger quantities:

Miles from dealer's yard	Amount of addition		
	Per net ton	Per ½ ton	Per ¼ ton
More than 2 but not more than 4	$0.25	$0.15	$0.10
More than 4 but not more than 6	.50	.25	.15
More than 6 but not more than 10	.75	.40	.20
More than 10 but not more than 14	1.00	.50	.25
More than 14	1.50	.75	.40

This Amendment No. 1 to Order No. G-60 shall become effective May 1, 1944.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

Eldon C. Shoup,
Regional Administrator.

[F. R. Doc. 44-5975; Filed, April 26, 1944; 3:56 p. m.]

[Region I Order G-68 Under RMPR 122]

Solid Fuels in Fall River, Mass., Area

Order No. G-68 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Specified solid fuels, Fall River Area.

For the reasons set forth in an Opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Fall River Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefor shall be the prices hereinafter set forth.

Maximum Prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-68 is explained in paragraph (i) and the terms used herein are defined in paragraph (g).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-68. Specifically, but without limiting the generality of the foregoing, the prohibitions contained

in § 1340.252 apply except to the extent that this Order G–68 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the Commonwealth of Massachusetts or the State of Rhode Island, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Maximum prices for Pennsylvania anthracite, coke and certain briquettes—(1) Price Schedule I; sales on a delivered basis.* Price Schedule I sets forth base maximum prices for sales of Pennsylvania anthracite, coke and certain briquettes on a "direct delivery" basis to consumers at any point in the Fall River Area. These prices are subject to the provisions of paragraph (d) concerning service and deposit charges; to the provisions of paragraph (e) concerning deliveries to specified points; and to the provisions of paragraph (f) concerning terms of sale.

Kind and size	Per net ton	½ ton	¼ ton	100 lb.
Pennsylvania anthracite:				
Broken, egg, and chestnut	$17.00	$9.00	$4.85	$1.00
Stove	17.25	9.15	4.95	1.00
Pea	14.40	7.70	4.20	.85
Buckwheat	12.30	6.65	3.70	.75
Rice	11.45	6.25	3.50	.70
Yard screenings	6.05	-----	-----	-----
Coke—Egg, stove and chestnut:				
New England and Providence	15.75	8.40	4.55	.95
Glocoke	15.25	8.15	4.45	.90
Ambricoal	15.30	8.15	4.45	.90
Staples nuggets	15.30	8.15	4.45	.90

(2) *Price Schedule II; yard sales to consumers.* Price Schedule II sets forth maximum prices for sales of Pennsylvania anthracite, coke and certain briquettes delivered at the yard or dock of any dealer in the Fall River Area to consumers. These prices are subject to the provisions of paragraph (f) concerning terms of sale, and to the provisions of paragraph (d) concerning service and deposit charges.

Kind and size	Per net ton	½ ton	¼ ton	100 lb.
Pennsylvania anthracite:				
Broken, egg and chestnut	$16.00	$8.50	$4.60	$0.95
Stove	16.25	8.65	4.70	.95
Pea	13.40	7.20	3.95	.80
Buckwheat	11.30	6.15	3.45	.70
Rice	10.45	5.75	3.25	.65
Yard screenings	5.05	-----	-----	-----
Coke—Egg, stove and chestnut:				
New England and Providence	14.75	7.90	4.30	.90
Glocoke	14.25	7.65	4.20	.85
Ambricoal	14.30	7.65	4.20	.85
Staples nuggets	14.30	7.65	4.20	.85

(3) *Price Schedule III; yard sales to dealers.* (a) Price Schedule III sets forth maximum prices for sales of Pennsylvania anthracite, coke and certain briquettes delivered at the yard or dock of any dealer in the Fall River Area to dealers in fuels who resell them.

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg and chestnut	$13.50	$6.75	$3.40
Stove	13.75	6.90	3.45
Pea	10.90	5.45	2.75
Buckwheat	9.30	4.65	2.35
Rice	8.45	4.25	2.15
Yard screenings	5.05	-----	-----
Coke—Egg, stove and chestnut:			
New England and Providence	12.25	6.15	3.10
Glocoke	11.75	5.90	2.95
Ambricoal	11.80	5.90	2.95

(b) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(4) *Certain named Pennsylvania anthracite coals.* The specific prices set forth above for Pennsylvania anthracite may be increased by the following amounts when the following sizes of named Pennsylvania anthracite coals are sold; *Provided,* That the following increases may be charged only if the conditions set forth in paragraph (b) of Region I Supplementary Order No. 2 under Revised Maximum Price Regulation No. 122 are observed:

Kind and size	Amount of addition			
	Per net ton	½ ton	¼ ton	100 lb.
Jeddo Highland:				
Broken, egg, stove, chestnut, pea and buckwheat	$0.25	$0.15	$0.10	None
Rice	.15	.10	None	None
Franklin or Salem Hill:				
Broken and chestnut	.75	.40	.20	$0.05
Egg	1.00	.50	.25	.05
Stove	1.25	.65	.30	.05
Pea	.25	.15	.05	None
Rice	.10	.05	None	None
Silver Brook:				
Broken, egg, stove, chestnut, pea and buckwheat	.30	.15	.05	None
Rice	.25	.15	.05	None
Greenwood:				
Egg, stove, chestnut, and pea	.25	.15	.05	None
Colonial:				
Broken, egg, stove, chestnut, pea and buckwheat	.65	.35	.15	None
Rice	.55	.30	.15	None

(c) *Maximum prices for bituminous coal—(1) Price Schedule IV; sales on a delivered basis.* (a) Price Schedule IV sets forth base maximum prices for sales of bituminous coal on a "direct delivery" basis to consumers at any point in the Fall River Area. These prices are subject to the provisions of paragraph (d) concerning service and deposit charges; to the provisions of paragraph (e) concerning deliveries to specified points; and to the provisions of paragraph (f) concerning terms of sale.

Kind of coal	Prices per net ton		
	Classes I and II	Class III	Class IV
Domestic run of mine	$11.40	-----	-----
Straight run of mine	10.40	$8.80	$8.55
Nut and slack	10.00	8.40	8.15
1½-inch nut and slack	10.40	8.80	8.55
Pea	11.45	-----	-----
Lump, egg, stove and chestnut	14.40	-----	-----
Smithing coal	12.20	-----	-----

(b) *Classes of purchasers.* Quantities refer to the consumer's annual purchases in net tons. A consumer's annual purchases determine his classification whether or not he purchases all of his requirements from a single dealer.

Class I—Less than 250 tons.
Class II—250 tons to 1000 tons, inclusive.
Class III—More than 1000 tons, but not over 5000 tons.
Class IV—More than 5000 tons.

If the purchaser's proper classification cannot be determined at the time of the delivery (as for example, in the case of a purchaser who converts from oil to coal), an estimate shall be made of his probable consumption, he shall be tentatively classified upon the basis of that estimate, and the dealer or dealers supplying him shall make an appropriate refund and may require that the purchaser agree to pay an appropriate additional amount if, when his actual classification has been determined, it appears that he was entitled to a lower price or could properly have been charged a higher one.

(2) *Price Schedule V; f. o. b. yard sales to consumers within the area.* (a) Price Schedule V sets forth maximum prices for sales of bituminous coal f. o. b. transportation facilities at the yard or dock of any dealer in the Fall River Area to any consumer whose place of residence or business is located in the Fall River Area. These prices are subject to the provisions of paragraph (f) concerning terms of sale. All references to Classes are to Classes of Purchasers as defined in paragraph (c) (1), above.

Kind of coal	Prices per net ton			
	Class I	Class II	Class III	Class IV
Domestic run of mine	$10.40	$10.25	-----	-----
Straight run of mine	9.40	9.25	$8.55	$8.30
Nut and slack	9.00	8.85	8.15	7.90
1½ inch nut and slack	9.40	9.25	8.55	8.30
Pea	10.45	10.30	-----	-----
Lump, egg, stove and chestnut.	13.40	13.25	-----	-----
Smithing coal	11.20	11.05	-----	-----

(3) *Price Schedule VI; f. o. b. yard sales to dealers and to industrial consumers outside the area.* (a) Price Schedule VI sets forth maximum prices for sales of bituminous coal f. o. b. transportation facilities at the yard or dock of any dealer in the Fall River Area to all dealers in fuels who resell them, and to those industrial consumers whose plants are located outside of the Fall River Area.

Kind of coal:	*Price per net ton*
Domestic run of mine	$7.75
Straight run of mine	7.60
Nut and slack	7.45
1½-inch nut and slack	7.60
Pea	8.00
Lump	11.60
Egg	11.70
Stove	11.75
Chestnut	11.20

(b) *Terms of sale.* Terms of sale may be net cash, but no additional charge shall be made for the extension of credit

terms of net 30 days or net 10 days e. o. m.

(4) *Fractions of a ton.* The maximum price for less than a net ton of bituminous coal to any class of purchaser (including dealers and consumers who are located outside the area) shall be determined as follows:

One-half ton: One-half of the Class I price from Price Schedule IV or V, as the case may be, plus 50 cents.

One-quarter ton: One-half of the price for a half-ton, plus 35 cents.

(5) *Dust treatment.* No extra charge may be made for bituminous coal which has been subjected to a chemical, oil or waxing process for allaying dust except that ten cents (10¢) per ton may be added to the otherwise applicable maximum price in the following cases:

(a) When the coal has been so treated at the mine and the producer or distributor makes an extra charge for such treatment pursuant to § 1340.210 (a) (10) of Maximum Price Regulation No. 120.

(b) When the coal has been so treated by a dealer subject to this Order; but no dealer shall require a purchaser to buy coal which has been so treated by the dealer. The additional charge for such treatment shall be shown separately on the invoice or similar document which is furnished by the dealer to the purchaser.

(d) *Maximum authorized service and deposit charges*—(1) *100 pound lots.* All specific delivered prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. All specific prices per 100 pounds are for 100 pounds bagged, but do not include the bag.

(2) *Carrying or wheeling; delivered sales.* If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheel from a "direct delivery" point which does not involve a carry up or down one or more flights of stairs	$0.50	$0.25	$0.15
For any carry or wheel from a "direct delivery" point which includes a carry up or down one or more flights of stairs:			
Straight carry plus one flight up or down	.80	.40	.20
Straight carry plus 2 flights	1.40	.70	.35
Each additional flight over 2	.40	.20	.10

(3) *Bagging at the yard.* If the buyer requests such service of him, the seller may make the following charges for bagging quarter-ton and larger quantities in 100 pound bags, exclusive of any charges for or deposit charges on bags furnished by the seller:

	Cents
Per net ton	50
Per half-ton	25
Per quarter-ton	15

(e) *Extra charges for deliveries to specified points.* In the case of deliveries from yards or docks which are located in the City of Fall River, the following extra charges may be made for deliveries to the following points:

Location	Amount per net ton
(1) In Little Compton, R. I., that portion which lies beyond Windmill Hill via West Road	$0.50
(2) In Tiverton, Rhode Island—	
(a) That portion beyond Bliss Four Corners via Stafford Road to and including Adamsville	.50
(b) Beyond Adamsville	1.00
(3) In Westport, Rhode Island—	
(a) (i) That portion beyond Potter's Corner via Sanford Road to and including Cornell Road	.50
(ii) Beyond Cornell Road	1.00
(b) (i) That portion beyond the junction of Westport Factory and Read Road, and beyond Head of Westport via Drift Road and Pine Hill Road to and including Hick's Bridge and Codman's Neck	.50
(ii) Beyond Hick's Bridge and Codman's Neck	1.00

(f) *Terms of sale; price Schedules I, II, IV and V.* Terms of sale applicable to the prices set forth in Price Schedules I, II, IV and V in paragraph (b) (1) and (2) and (c) (1) and (2), including the prices for named Pennsylvania Anthracite coals arrived at by adding the amounts provided for in paragraph (b) (4) to the prices for Pennsylvania Anthracite set forth in Price Schedules I and II, and the prices for half and quarter-tons of bituminous coal arrived at in accordance with paragraph (c) (4), shall be as follows (all provisions for reductions for payment at or within a specified time are referred to as "cash discounts"; if no provision is made for a cash discount, as in the case of Pennsylvania Anthracite yard screenings, or 100 pound lots which are specifically priced, terms of sale may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.):

(1) *Price Schedules I, II, IV and V.* On all sales of broken, egg, stove, chestnut and pea sizes of Pennsylvania Anthracite, Coke, Ambricoal, Staples Briquettes, and lump, egg, stove and chestnut sizes of bituminous coal, a cash discount of $1.00 per ton, or 50 cents per half-ton, or 25 cents per quarter-ton, shall be granted for payment at or before delivery or by the close of the next business day following the date of delivery; *Provided, however,* That said cash discounts shall be granted to a charitable institution if payment is made by it within 90 days from the date of delivery.

(2) *Price Schedules I, II, IV and V.* On all sales of buckwheat and rice sizes of Pennsylvania Anthracite, and on all sales to domestic consumers and charitable institutions of bituminous Domestic Run of Mine, Straight Run of Mine, Nut and Slack, 1½" Nut and Slack and Pea, a cash discount of 50 cents per ton, or 25 cents per half-ton, or 10 cents per quarter-ton, shall be granted for payment at or before delivery or by the close of the next business day following the date of delivery; *Provided, however,* That said cash discounts shall be granted to a charitable institution if payment is made by it within 90 days from the date of delivery.

(3) *Price Schedules IV and V.* On all sales of bituminous Domestic Run of Mine, Straight Run of Mine, Nut and Slack, 1½" Nut and Slack, Pea and Smithing Coal to commercial and industrial consumers in Classes I and II, the following cash discounts shall be granted for payment on or before the 25th day of the month following the month during which the coal is delivered:

	Per ton
Price Schedule IV:	
Class I	$0.50
Class II	1.00
Price Schedule V:	
Classes I and II	.50

Terms of sale for sales of Straight Run of Mine, Nut and Slack and 1½" Nut and Slack to Class III and IV purchasers may be net cash, but no additional charge shall be made for the extension of credit terms of net 30 days or net 10 days E. O. M.

(g) *Definitions.* When used in this Order G-68, the term:

(1) "Fall River Area" shall include the following cities and towns in the Commonwealth of Massachusetts and the State of Rhode Island:

In Massachusetts: Fall River, Freetown, Somerset, Swansea and Westport.

In Rhode Island: Little Compton, Portsmouth and Tiverton.

(2) "Specified Solid Fuels" shall include Pennsylvania anthracite, New England Coke, Providence Coke, Glocoke, Ambricoal, Staples Nuggets, and those kinds of bituminous coal for which specific prices are established by this order and which are hereinafter defined.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Named Pennsylvania anthracite" means Jeddo Highland, Franklin, Salem Hill, Silver Brook, Greenwood and Colonial.

(5) "Jeddo Highland" means that Pennsylvania anthracite which is prepared at Jeddo #7 breaker and Highland #5 breaker of the Jeddo Highland Coal Company, Jeddo, Pennsylvania, and marketed by said company under the trade names "Jeddo Coal", "Highland Coal", or "Hazle Brook Coal".

(6) "Franklin" means that Pennsylvania anthracite which is prepared at the Williamstown breaker of the Franklin-Lykens Coal Company, Ashland, Pennsylvania, and marketed under the trade name "The Only Genuine Franklin Coal of Lykens Valley".

(7) "Salem Hill" means that Pennsylvania anthracite which is produced by Haddock Mining Company at the Salem Hill Colliery, Schuylkill County, near Pottsville, Pennsylvania, and which meets the quality and preparation standards established by Order No. 2 under Maximum Price Regulation No. 112.

(8) "Silver Brook" means that Pennsylvania anthracite which is prepared by Haddock Mining Company, Wilkes-Barre, Pennsylvania, at its Beaver Meadow Breaker from coal produced at the Deringer Colliery and the Tomhicken Colliery and marketed under the trade name "Silver Brook Coal", and which meets the quality and preparation stand-

ards established by Order No. 3 under Maximum Price Regulation No. 112.

(9) "Greenwood" means that Pennsylvania anthracite which is produced by Lehigh Navigation Coal Company, Philadelphia, Pennsylvania, and marketed under the trade name "Old Company's Lehigh Greenwood Premium Anthracite".

(10) "Colonial" means that Pennsylvania anthracite which is produced and prepared by Colonial Collieries Corporation, Philadelphia, Pennsylvania, and which meets the quality and preparation standards established by Order No. 4 under Maximum Price Regulation No. 112.

(11) "Broken", "egg", "stove", etc., sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(12) "New England Coke" means that coke which is produced by New England Coke Company, or its affiliated producing company, at their plant in Everett, Massachusetts.

(13) "Providence Coke" means the retort gas coke produced by the Providence Gas Company, Providence, Rhode Island.

(14) "Glocoke" means the retort gas coke produced by the Fall River Gas Company, Fall River, Massachusetts.

(15) "Staples Nuggets" means the bituminous coal briquettes produced by Staples Coal Company (doing business as Atlantic Coal Company of Massachusetts) at its plant at Globe Wharf, Fall River, Massachusetts.

(16) "Ambricoal" means Anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(17) "Bituminous Coal Division" means the Bituminous Coal Division of the United States Department of the Interior as it existed under the Bituminous Coal Act of 1937, as amended, and all references to terms defined by the Bituminous Coal Division (such as "Price Classifications") are to the definitions thereof which were in effect (or established) as of midnight August 23, 1943. All references to Producing Districts are to the geographical coal producing districts as defined in the Bituminous Coal Act of 1937, as amended, as they were in effect (or established) as of midnight August 23, 1943.

(18) *Definitions of and specifications for bituminous coals.* The bituminous coals for which specific maximum prices are established by this order shall conform to the following specifications:

(a) "Domestic run of mine": bituminous coal from the low volatile section of Producing District 7, price classifications A or B, which was defined by the Bituminous Coal Division as "domestic dealer, modified or screened run of mine"; *Provided, however,* That such coal shall be equivalent in coarseness to the coal which was sold by the dealer as "domestic run of mine" during December 1941. (See note after paragraph (b), below, as to mixtures).

(b) "Straight run of mine" (which may, at the dealer's option, be called "standard run of mine"): bituminous coal from the low volatile section of Producing District 7, price classifications A or B, which was defined by the Bituminous Coal Division as "straight run of mine"; *Provided, however,* That such coal shall be equivalent in coarseness to the coal which was sold by the dealer as "straight run of mine" or "standard run of mine" during December 1941. (See following note as to mixtures).

NOTE: To the extent that it is necessary to add lump coal to either of the foregoing kinds of coal as they are shipped from the mines, in order to make them equivalent in coarseness to the coals of those kinds which were sold by the dealer during December, 1941, said lump coals may be either high or low volatile coals from Producing Districts 7 or 8. In addition, either type of run of mine coal may be composed of a mixture of said lump coals with "nut and slack."

(c) *"Nut and slack"*: bituminous coal screenings from the low volatile section of Producing District 7, price classification B or C, which, at the mine, have passed through a screen with openings larger than three-quarters (¾) of an inch but smaller than one and one-half (1½) inches.

(d) "1½" nut and slack" (which may, at the dealer's option, be called "1½" run of mine"): bituminous coal screenings from the low volatile section of Producing District 7, price classification A or B, which, at the mine, have passed through a screen with openings one and one-half (1½) inches or larger.

(e) "Pea": bituminous coal from the low volatile section of Producing District 7, price classification A, double screened at the mines, with a top size not exceeding three-quarters (¾) of an inch and a bottom size smaller than three-quarters (¾) of an inch.

(f) "Chestnut": bituminous coal from the low volatile section of Producing District 7, price classification A, double screened at the mines or at the yard or dock of a dealer in the area, with a top size larger than three-quarters (¾) of an inch but not exceeding two (2) inches, and a bottom size smaller than one and one-quarter (1¼) inch.

(g) "Stove": bituminous coal from the low volatile section of Producing District 7, price classification A, double screened at the mines or at the yard or dock of a dealer in the area, with a top size larger than one and one-quarter (1¼) inches but not exceeding (3) inches, and a bottom size smaller than three (3) inches.

(h) "Egg": bituminous coal from the low volatile section of Producing District 7, price classification A or B, double screened at the mines or at the yard or dock of a dealer in the area, with a top size larger than three (3) inches, bottom size no limit.

(i) "Lump": bituminous coal from the low volatile section of Producing District 7, price classification A or B, all of which passes over a screen with openings one and one-quarter (1¼) inches or larger.

(j) "Smithing coal": low volatile, low sulphur bituminous coal which is suitable for use in forge work.

(19) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of a mine, a coke oven, or a briquette plant.

(20) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(21) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(22) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(23) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(h) *Transportation tax.* Any dealer subject to this Order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier: *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton: *And provided, further,* That the dealer need not state separately from his selling price the amount of said tax on a sale to the United States or any agency thereof, any state government or any political subdivision thereof.

(i) *Geographical applicability.* The maximum prices established by this order for "yard sales" and sales f. o. b. transportation facilities shall apply to all such sales of the specified solid fuels at a yard or dock located in the area covered by this order, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the area covered by this order, regardless of whether the dealer is located within said area.

(j) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(k) *Posting of maximum prices; sales slips and receipts.* (1) Every dealer subject to this order shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner plainly visible to and understandable by the purchasing public, and shall keep a copy of this order available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to con-

sumers from a truck or wagon, the posting shall be done on the truck or wagon. All postings shall include the relevant terms of sale. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and other charges made and the amount charged therefor. This paragraph shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(l) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(m) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(n) This order may be revoked, amended or corrected at any time.

This Order No. G–68 shall become effective May 1, 1944.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of April 1944.

ELDON C. SHOUP,
Regional Administrator.

[F. R. Doc. 44–5970; Filed, April 26, 1944; 3:55 p. m.]

[Region II Order G–1 Under MPR 422]

POULTRY SOLD BY GROUP 3 AND GROUP 4 STORES IN NEW YORK REGION

Order No. G–1 under section 29a of Maximum Price Regulation No. 422. Retail markups for poultry sold by Group 3 and Group 4 Stores in Region II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by section 29a of Maximum Price Regulation No. 422, this order is hereby issued.

SECTION 1. *What this order does.* This order reduces the markups listed in Table B of section 39 (a) of Maximum Price Regulation No. 422 for sales by Group 3 and Group 4 retailers in Region II of poultry, except turkeys, bought live and sold live or on a dressed weight basis and of poultry, except ducks and turkeys, bought kosher-killed and sold kosher-killed. This reduction is necessary in order to prevent an increase in the retail prices at which such poultry items might be sold, which would otherwise result from an increase in retailers' costs of live and kosher-killed poultry made by an order issued simultaneously herewith under § 1429.14 of Revised Maximum Price Regulation No. 269.

SEC. 2. *Where this order applies.* This order applies in the States of Delaware, Maryland, New Jersey and New York, the Commonwealth of Pennsylvania, and the District of Columbia.

SEC. 3. *Markups for live and kosher-killed poultry.*

Food commodity	Allowed markups over "net cost"		Selling unit in which ceiling price must be calculated
	Group 3—Retailer other than independent, with annual volume under $250,000	Group 4—Any retailer with annual volume of $250,000 or more	
(a) Poultry bought live and sold live:			
(1) Broilers, fryers, roasters, light capons, ducks and geese	*Pct.* 16	*Pct.* 16	*Lb.* 1
(2) Heavy capons	17	17	1
(3) Fowl, stags and old roosters	15	15	1
(4) Turkeys	20	20	1
(b) Poultry bought kosher-killed and sold kosher-killed:			
(1) Broilers, fryers, roasters, light and heavy capons	17	17	1
(2) Fowl	17	17	1
(3) Stags and old roosters	16	16	1
(4) Geese	16	16	1
(5) Turkeys	17	15	1
(c) Poultry bought live and sold on a dressed weight basis:			
(1) Broilers, fryers, roasters, light and heavy capons	32	32	1
(2) Fowl, stags and old roosters, geese and ducks	31	31	1
(3) Turkeys	36	36	1

SEC. 4. *Effective date.* This order shall become effective at 12:01 a. m. on April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 422, 8 F.R. 9395, 10569)

Issued this 26th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–5967; Filed, April 26, 1944; 3:54 p. m.]

[Region II Order G–1 Under MPR 423]

POULTRY SOLD IN GROUP 1 AND GROUP 2 STORES IN NEW YORK REGION

Order No. G–1 under section 19a of Maximum Price Regulation No. 423. Retail markups for poultry sold by Group 1 and Group 2 Stores in Region II.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by section 19a of Maximum Price Regulation No. 423, this order is hereby issued.

SECTION 1. *What this order does.* This order reduces the markups listed in Table B of section 29 (a) of Maximum Price Regulation No. 423 for sales by Group 1 and Group 2 retailers in Region II of poultry, except turkeys, bought live and sold live or on a dressed weight basis and of poultry, except ducks and turkeys, bought kosher-killed and sold kosher-killed. This reduction is necessary in order to prevent an increase in the retail prices at which such poultry items might be sold, which would otherwise result from an increase in retailers' costs of live and kosher-killed poultry made by an order issued simultaneously herewith under § 1429.14 of Revised Maximum Price Regulation No. 269.

SEC. 2. *Where this order applies.* This order applies in the States of Delaware, Maryland, New Jersey and New York, the Commonwealth of Pennsylvania, and the District of Columbia.

SEC. 3. Markups for live and kosher-killed poultry.

Food commodity	Allowed markups over "net cost"—Independent retailers with annual volumes		Selling unit in which ceiling price must be calculated
	Group 1—under $50,000	Group 2—$50,000 but less than $250,000	
(a) Poultry bought live and sold live:			
(1) Broilers, fryers, roasters, light capons, ducks and geese	*Pct.* 17	*Pct.* 17	*Lb.* 1
(2) Heavy capons	18	18	1
(3) Fowl, stags and old roosters	16	16	1
(4) Turkeys	31	21	1
(b) Poultry bought kosher-killed and sold kosher-killed:			
(1) Broilers, fryers, roasters, light and heavy capons	18	18	1
(2) Fowl	17	17	1
(3) Stags and old roosters	16	16	1
(4) Geese	17	17	1
(5) Turkeys	17	17	1
(c) Poultry bought live and sold on a dressed weight basis:			
(1) Broilers, fryers, roasters, light and heavy capons	24	24	1
(2) Fowl, stags and old roosters, geese and ducks	33	32	1
(3) Turkeys	38	38	1

SEC. 4. *Effective date.* This order shall become effective at 12:01 a. m. on April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; MPR 423, 8 F.R. 9407, 10570)

Issued this 26th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5968; Filed, April 26, 1944; 3:55 p. m.]

[Region II Order G-1 Under RMPR 269, Amdt. 1]

POULTRY, EXCEPT DUCKS, IN NEW YORK REGION

Amendment No. 1 to Order No. G-1 under § 1429.14 of Revised Maximum Price Regulation No. 269. Maximum base prices of poultry except ducks in Region II.

For the reasons stated in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by § 1429.14 of Revised Maximum Price Regulation No. 269, Order No. G-1 under § 1429.14 of Revised Maximum Price Regulation No. 269 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *What this order does.* Revised Maximum Price Regulation No. 269 requires the determination of maximum selling prices of poultry items by reference to maximum base prices. This order divides Region II into four zones, and in each zone one specific dollar and cent maximum base price is established for each poultry item covered by Revised Maximum Price Regulation No. 269, except duck items. This order supersedes that regulation insofar as it establishes such maximum base prices in Region II. The base prices established by this order are to be used in determining maximum selling prices instead of the base prices established by Revised Maximum Price Regulation No. 269. All other provisions of that regulation continue in effect.

2. Section 2 is amended to read as follows:

SEC. 2. *Where this order applies.* This order applies to the entire states of Delaware, Maryland, New Jersey, and New York, the Commonwealth of Pennsylvania, and the District of Columbia.

3. The footnote applicable to kosher-killed poultry items in section 3 (a) (2) is amended to read as follows:

[1] Maximum base prices for kosher-killed poultry items, except turkeys, for determining maximum selling prices for sales to "wholesalers" and individual retail stores only, shall be 1¢ per pound higher than those listed above.

4. Section 3 (a) (2) is amended by adding the following items to the table of maximum base prices:

Type	Food products—Weight	Maximum base prices—Zone 1					
		Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
*	*	*	*	*	*	*	*
Cut-up poultry:							
Wings						29.9	
Legs						61.6	
Breast						61.6	
Back, neck or skin						14.1	
Liver						69.1	
Gizzard or heart [1]						[1] 29.9	
Raw poultry fat						74.0	
Government inspected raw poultry fat						59.0	
Rendered poultry fat						73.5	
Government inspected rendered poultry fat						78.5	

[1] If the gizzard is not cleaned by removing the contents and lining the maximum base price shall be ½ of the maximum base price for gizzards listed in this table.

5. Section 3 (b) (2), section 3 (c) (2), and section 3 (d) (2) are amended by inserting a superior (1) at the top of the column of maximum prices designated "kosher-killed" in each section and by adding at the bottom of each table the following footnote:

[1] Maximum base prices for kosher-killed poultry items, except turkeys, for determining maximum selling prices for sales to "wholesalers" and individual retail stores only, shall be 1¢ per pound higher than those listed above.

6. Section 3 (b) (2) is amended by adding the following items to the table of maximum base prices:

Type	Food products—Weight	Maximum base prices—Zone 2					
		Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
*	*	*	*	*	*	*	*
Cut-up poultry:							
Wings						29.8	
Legs						61.5	
Breast						61.5	
Back, neck or skin						14.0	
Liver						69.0	
Gizzard or heart [1]						[1] 29.8	
Raw poultry fat						53.9	
Government inspected raw poultry fat						58.9	
Rendered poultry fat						73.4	
Government inspected rendered poultry fat						78.4	

[1] If the gizzard is not cleaned by removing the contents and lining the maximum base price shall be ½ of the maximum base price for gizzards listed in this table.

7. Section 3 (c) (2) is amended by adding the following items to the table of maximum base prices:

Type	Food products—weight	Maximum base prices—Zone 3					
		Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
*	*	*	*	*	*	*	*
Cut-up poultry:							
Wings						29.7	
Legs						61.4	
Breast						61.4	
Back, neck or skin						13.9	
Liver						68.9	
Gizzard or heart [1]						[1] 29.7	
Raw poultry fat						53.8	
Government inspected raw poultry fat						58.3	
Rendered poultry fat						73.3	
Government inspected rendered poultry fat						78.3	

[1] If the gizzard is not cleaned by removing the contents and lining, the maximum base price shall be ½ of the maximum base price for gizzards listed in this table.

8. Section 3 (d) (2) is amended by adding the following items to the table of maximum base prices:

Type	Food products—weight	Maximum base prices—Zone 4					
		Live	Dressed	Kosher-killed	Kosher-dressed and plucked	Drawn	Frozen eviscerated
*	*	*	*	*	*	*	*
Cut-up poultry:							
Wings						29.6	
Legs						61.3	
Breast						61.3	
Back, neck or skin						13.8	
Liver						68.8	
Gizzard or heart [1]						[1] 29.6	
Raw poultry fat						53.7	
Government inspected raw poultry fat						58.7	
Rendered poultry fat						73.2	
Government inspected rendered poultry fat						78.2	

[1] If the gizzard is not cleaned by removing the contents and lining the maximum base price shall be ½ of the maximum base price for gizzards listed in this table.

9. *Effective date.* This amendment shall become effective at 12:01 a. m. on April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; RMPR 269, 7 F.R. 10708, 8 F.R. 6736, 9299, 10940)

Issued this 26th day of April 1944.

DANIEL F. WOOLLEY,
Regional Administrator.

Approved:

J. BURKE,
Price Executive, Poultry, Eggs and Dairy Products Branch, Food Price Division, Office of Price Administration.

JEFFERSON D. BURRUS, Jr.,
Division Counsel for Food, Office of Price Administration.

[F. R. Doc. 44-5969; Filed, April 26, 1944; 3:55 p. m.]

[Region II Order G-2 Under RMPR 269, Revocation]

POULTRY, EXCEPT DUCKS IN NEW YORK CITY METROPOLITAN AREA

Order of Revocation of Order No. G-2 under § 1429.14 of Revised Maximum Price Regulation No. 269. Maximum base prices of kosher-killed poultry, except ducks, in the New York City Metropolitan Area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration for Region II by § 1429.14 of Revised Maximum Price Regulation No. 269, this order is hereby issued.

1. Order No. G-2 under § 1429.14 of Revised Maximum Price Regulation No. 269 is hereby revoked and shall be of no further effect.

This order shall become effective at 12:01 a. m. on April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; RMPR 269, 7 F.R. 10708, 8 FR. 6736, 9299, 10940)

Issued this 26th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44-5966; Filed, April 26, 1944; 3:54 p. m.]

[Region II Order G-3 Under RMPR 269]

LIVE POULTRY, EXCEPT TURKEYS, IN NEW YORK REGION

Order No. G-3 under § 1429.14 of Revised Maximum Price Regulation No. 269. Allowances for transporting live poultry, except turkeys, in region II.

For the reasons set forth in an opinion issued simultaneously herewith and pursuant to the authority vested in the Regional Administrator of the Office of Price Administration for Region II by § 1429.14 of Revised Maximum Price Regulation No. 269, this order is hereby issued.

SEC. 1. *What this order does.* This order establishes allowances for the transportation of live poultry, except turkeys, sold and delivered in Region II. It supersedes the provisions of § 1429.21 (a) (1) and § 1429.21 (a) (2) (i), Table B (ia) of Revised Maximum Price Regulation No. 269. All other provisions of that regulation continues in effect.

SEC. 2. *Where this order applies.* This order applies to the entire states of Delaware, Maryland, New Jersey, and New York, the Commonwealth of Pennsylvania, and the District of Columbia.

SEC. 3. *Permitted increases to maximum base prices*—(a) *Permitted increase for transporting live poultry.* (1) Any person who transports live poultry items except turkey, for a distance of more than 5 miles to the processing plant of any processor may sell or deliver them to the processor at the maximum base price for the point at which the processing plant is located established by Order No. G-1 under § 1429.14 of Revised Maximum Price Regulation No. 269 issued by the Regional Administrator for Region II, or by Revised Maximum Price Regulation No. 269, plus 1½ cents per pound. The weight of the live poultry items sold or delivered shall be the weight at the time of delivery at the processing plant.

(2) Any person who transports live poultry items, except turkeys, for a distance of more than 5 miles to any city, town or village where the poultry items are destined for ultimate consumption, may sell or deliver them to any "wholesaler" or individual retail store located in that city, town or village, at the maximum base price established for that city, town or village by Order No. G-1 under § 1429.14 of Revised Maximum Price Regulation No. 269 issued by the Regional Administrator for Region II, or by Revised Maximum Price Regulation No. 269, plus whichever one of the following permitted increases in cents per pound is applicable:

Shortest distance in road miles or railroad miles from the place where transportation of live poultry begins to the place where such transport ends:	*Maximum permitted increase in cents per pound*
Less than 5 miles	No increase.
5 to 25 miles	1 cent.
25 to 50 miles	1½ cents.
50 to 100 miles	2 cents.
100 to 150 miles	2¼ cents.
150 to 200 miles	2½ cents.
200 to 250 miles	2¾ cents.
250 or more miles	3 cents.

Only one permitted increase for transporting live poultry items may be added to the maximum base price. The weight of the live poultry items sold and delivered shall be the weight at the time of physical delivery to the purchaser in the city, town or village where his place of business is located and where the live poultry items are destined for ultimate consumption.

(b) *Permitted increase for wholesalers.* Any "wholesaler" (as defined in § 1429.21 (b) (5) of Revised Maximum Price Regulation No. 269) who buys and sells live poultry items, except turkeys, and who has either transported those items to his place of business or paid out a permitted increase to a transporter of live poultry for transporting the items to his place of business, and who sells to a "wholesaler" or individual retail store located in the same metropolitan area as the location of the seller's place of business, may, for a sale of less than 10,000 pounds of any live poultry item except turkeys, add to the maximum base price at the seller's shipping point (1) the permitted increase established by section 3 (a) (2) of this order for the actual distance the live poultry items being sold were transported to the seller's place of business, in an amount not to exceed 3¢ per pound, and (2) whichever of the following additions is applicable:

	Cents
a. For non-delivered sales	1½
b. For sales delivered within 25 miles	1¾
c. For sales delivered beyond 25 miles	2

The weight of the live poultry items sold and delivered shall be the weight at the time and point of delivery to the purchaser.

SEC. 4. *Effective date.* This order shall become effective at 12:01 a. m. on April 26, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681; RMPR 269, 7 F.R. 10708, 8 F.R. 6736, 9299, 10940)

Issued this 26th day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved:

A. J. BURKE,
Price Executive, Poultry, Eggs & Dairy Products Branch, Food Price Division, Office of Price Administration.

JEFFERSON D. BURRUS, Jr.,
Division Counsel for Food, Office of Price Administration.

[F. R. Doc. 44-5965; Filed, April 26, 1944; 3:54 p. m.]

[Region II Rev. Order G-7 Under RMPR 122]

PENNSYLVANIA ANTHRACITE IN DESIGNATED AREAS IN PENNSYLVANIA

Revised Order No. G-7 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Philadelphia County, Delaware County and designated townships and boroughs in Bucks and Montgomery Counties, Commonwealth of Pennsylvania, Coal Area I.

Under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does*—(1) *Dealers' maximum prices, area covered.* If you are a dealer in "Pennsylvania anthracite", this order fixes the maximum prices which you may charge, and if you are a purchaser in the course of trade or business, this order fixes the maximum prices which you may pay, for certain sizes and quantities of "Pennsylvania anthracite" delivered to or at any point in Coal Area I. Coal Area I includes the following portions of the Commonwealth of Pennsylvania: Philadelphia County; Delaware County; the Townships of Upper Southampton, Lower Southamptbn, Northampton, Warminster, Warwick, and the Borough of Ivyland, in Bucks County; and the Townships of Lower Moreland, Upper Moreland, Abington, Cheltenham, Horsham, Upper Dublin, Lower Gwynnedd, Whitpain, Whitemarsh, Springfield, Lower Merion, and the Boroughs of Bryn, Athyn, Hatboro, Rockledge, Jenkintown, Ambler and Narberth, in Montgomery County.

Hereinafter in this order "Pennsylvania anthracite" shall be called simply "anthracite".

(2) *Schedules of prices, charges and discounts.* The applicable prices, authorized charges, and required discounts, from which you shall determine the maximum prices for designated sizes and quantities of anthracite delivered

within Coal Area I, are set forth in Schedules I, II, and III hereafter.

(3) *To what sales this order applies.* If you are a dealer in anthracite, you are bound by the prices, charges and discounts, and by all other provisions of this order for all deliveries within Coal Area I, whether or not you are located in Coal Area I.

(b) *What this order prohibits.* Regardless of any contract or other obligations, you shall not:

(1) Sell or, in the course of trade or business, buy anthracite of the sizes and in the quantities set forth in the schedules herein, at prices higher than the maximum prices computed as set forth in paragraph (c) of this order, although you may charge, pay, or offer less than maximum prices.

(2) Obtain any price higher than the applicable maximum price by:

(i) Changing the discounts authorized herein, or

(ii) Charging for any service which is not expressly requested by the buyer, or

(iii) Charging for any service for which a charge is not specifically authorized by this order, or

(iv) Charging a price for any service set forth in Schedule I higher than the schedule price for such service, or

(v) Increasing any interest rate on debts over the rate charged in December 1941, or

(vi) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him, or

(vii) Using any other device by which a higher price than the applicable maximum price is obtained, directly or indirectly.

(c) *How to compute maximum prices.* You must figure your maximum price as follows:

(1) Use the schedule which covers your sale. (Schedule I applies to "direct-delivery" sales of anthracite. You will find Schedule I in paragraph (d). Schedule II applies to "yard sales" by dealers who sell exclusively to equipped dealers, and by other dealers. You will find Schedule II in paragraph (e). Schedule III applies to sales of bagged coal in 25 lb. and 18 lb. paper bags. You will find Schedule III in paragraph (f)).

(2) Take the dollars-and-cents figure given in the applicable schedule for the size and quantity you are selling.

(3) Deduct from this figure the amount of the discount which you are required to give as specified in the schedule. If the schedule makes no reference to any discount, you need give no discount. Where a discount is required, you must state it separately on your invoice.

(4) If, at your purchaser's request, you actually render him a service for which this order authorizes a charge, you may add to the figure obtained as above, no more than the maximum authorized service charge. You must state that charge separately on your invoice. The only authorized service charges are those provided for sales under Schedule I.

(5) If you deliver a fraction of a net ton, even if less than one-half ton, and the applicable schedule provides a discount on the basis of one ton or one-half ton, you shall allow a proportionate discount, making your calculation to the nearest full cent. For example, if you are required to deduct 50¢ per ton for cash payment, you shall deduct 38¢ for three-quarters of a ton and 13¢ for one-quarter of a ton.

(6) If you deliver a fraction of a net ton, but not less than one-half ton, and the applicable schedule provides a service charge on the basis of one ton, you shall add no more than a proportionate service charge, making your calculation to the nearest full cent. For example, if the transaction permits a service charge of 50¢ per ton, you shall not add more than 38¢ for performance of that service in connection with the delivery of three-quarters of a ton.

(d) *Schedule I: Sales on a "direct-delivery" basis.* Schedule I establishes maximum prices for certain sizes of anthracite in certain specific quantities, delivered to or at any point within Coal Area I.

(1) *For sales of anthracite of the sizes and in the quantities specified.*

Siz	Per net ton	Per net ½ ton	Per 100 lb. (for sales of 100 lb. or more, but less than ½ ton)	Per 50 lb. paper bag
Broken, egg, stove, nut	$13.50	$7.25	$0.80	$0.475
Pea	11.70	6.35	.70	.425
Buckwheat	10.05	5.55	.60	------
Rice	8.85	4.95	.55	------
Barley	7.70	3.85	----------	------
Buckwheat #4	5.80	2.90	----------	------
Screenings	3.95	2.00	----------	------

(2) *Required discounts.* You shall deduct from the prices set forth above in this schedule, on sales and deliveries of all sizes except screenings, a discount of 50¢ per net ton and 25¢ per net half ton, where payment is made within fifteen days after delivery. Nothing in this subparagraph requires you to sell on other than a cash basis.

In addition, you shall deduct a discount of 50¢ per net ton, on sales and deliveries of all sizes except Buckwheat #4 and screenings, to consumers purchasing from one dealer, for delivery at one point, a quantity of 100 tons or more, within a period of twelve months.

You shall not break up a single order in an attempt to avoid this discount.

You must grant this discount whether the purchaser has received 100 tons or more pursuant to a single purchase order, or several purchase orders, and whether there was delivery at one time or at intervals of time, the sole basis of the discount being the annual purchase of 100 tons or more for delivery at one point.

You must deduct this discount at or before the delivery of the one-hundredth ton and continue to grant the discount on every subsequent delivery during the same twelve-month period.

(3) *Maximum authorized service charges.*

Special service rendered at the request of the Purchaser:	*Cents per net ton*
"Carry" or "wheel" (except for sales in 50 lb. bags or 100 lb. lots, amounting to less than one-half ton)	50
Carrying upstairs, for each floor above the ground floor (except for sales in 50 lb. bags or 100 lb. lots, amounting to less than one-half ton). This charge shall be in addition to any charge for "carry" or "wheel"	50

(e) *Schedule II: "Yard sales".* Schedule II establishes maximum prices for certain sizes of anthracite sold at dealer's "yard".

(1) *Sales by dealers except those who normally sold exclusively to equipped dealers.*

Size	Per net ton, for sales of ½ ton or more	Per 100 lb. for 100 lb. or more, but less than ½ ton	Per 50 lb. paper bags
Broken, egg, stove, nut	$10.80	$0.70	$0.425
Pea	9.20	.60	.375
Buckwheat	7.55	.50	----------
Rice	6.55	.45	----------
Barley	5.55	----------	----------
Screenings	2.20	----------	----------

(2) *Wholesale yard sales (sales from yards of dealers who normally sold exclusively to equipped dealers).*

Size:	*Per net ton*
Broken, egg, stove, nut	$10.60
Pea	9.00
Buckwheat	7.40
Rice	6.45
Screenings	2.20

(3) *Required discounts on wholesale yard sales.* You shall deduct from the prices set forth in paragraph (e) (2) of this schedule, for payment within fifteen days after delivery, the following discounts:

Size:	*Discount per net ton (Cents)*
Broken, egg, stove, nut	15
Pea and buckwheat	10
Rice	5

(f) *Schedule III.* Schedule III establishes maximum prices for sales to dealers and to consumers of certain sizes of anthracite in 25 lb. and 18 lb. paper bags.

(1) *Maximum price per 25 lb. paper bag.*

Size	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.18	$0.23

(2) *Maximum price per 18 lb. paper bag.*

Size	Delivered at dealer's yard	Delivered to retail stores	Sales to ultimate consumer
Nut	$0.13	$0.15	$0.17
Pea	.11	.13	.15

(g) *Commingling.* If you sell one size of anthracite, commingled with another

size of anthracite, your maximum price for the combination shall be the maximum price established in this order for the smallest of the sizes so commingled, whether the sale be a "direct-delivery" sale, "yard sale", or "sales of bagged coal", except in the following situation. Where a purchaser requests that two or more sizes of anthracite be commingled in one delivery, then, in that event, if those sizes are separately weighed at the point of loading, or when bagged, the dealer may commingle those sizes in the truck or other vehicle, or in the bags in which the delivery is made. The price for anthracite so commingled shall be calculated on the basis of the applicable per net ton price, or, in the case of bagged coal, on the basis of the applicable bagged price, for each size in the combination, and the invoice shall separately state the price, so determined for the quantity of each size in the combination.

(h) *Addition of increase in suppliers' maximum prices prohibited.* You may not increase the specific maximum prices established by this order to reflect in whole or in part, any subsequent increase to you in your supplier's maximum price for the same fuel. The specific maximum prices already reflect increases to you in your supplier's maximum prices occurring up to the effective date of this order. If increases in your supplier's maximum prices should occur after such date, as the result of any amendment to or revision of a maximum price regulation issued by the Office of Price Administration governing sales and deliveries made by such suppliers, the Regional Administrator will, if he then deems it to be warranted, take appropriate action to amend this order to reflect such increases.

(i) *Taxes.* If you are a dealer subject to this order you may collect, in addition to the specific maximum prices established herein, provided you state it separately, the amount of the Federal Tax upon the transportation of property imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased. On sales to the United States or any agency thereof, you need not state this tax separately.

(j) *Adjustable pricing.* You may not make a price adjustable to a maximum price which will be in effect at some time after delivery of the anthracite has been completed, but the price may be adjustable to the maximum price in effect at the time of delivery.

(k) *Petitions for amendment.* Any person seeking an amendment of any provision of this order may file a petition for amendment in accordance with the provisions of revised procedural Regulation No. 1, except that the petition shall be filed with the Regional Administrator and acted upon by him.

(l) *Right of amendment or revocation.* The Regional Administrator or the Price Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(m) *Applicability of other regulations.* If you are a dealer subject to this order, you are governed by the licensing provisions of Licensing Order 1. Licensing Order 1 provides, in brief, that a license is required of all persons making sales for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license. The license may be suspended for violations in connection with the sale of any commodity for which maximum prices are established. If your license is suspended, you may not sell any such commodity during the period of suspension.

(n) *Records.* If you are a dealer subject to this order, you shall preserve, keep and make available for examination by the Office of Price Administration, a record of every sale of anthracite hereunder, showing the date, the name and address of the buyer, if known; the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also state separately each service rendered and the charge made for it.

(b) *Posting of maximum prices; sales slips and receipts.* (1) If you are a dealer subject to this order, you shall post all your maximum prices (as set forth in the applicable schedule or schedules of this order) in your place of business in a manner plainly visible to and understandable by the purchasing public.

(2) If you are a dealer subject to this order, you shall, except for a sale of less than one-half ton, give each purchaser a sales slip or receipt showing your name and address, the kind, size, and quantity of the anthracite sold to him, the date of the sale or delivery and the price charged, separately stating the amount, if any, of the required discounts which must be deducted from, and the authorized service charges and the taxes, which may be added to, the specific maximum prices prescribed herein.

In the case of all other sales, you shall give each purchaser a sales slip or receipt containing the information described in the foregoing paragraph, if requested by such purchaser, or if during December 1941 you customarily gave purchasers such sales slips or receipts.

(p) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Philadelphia District Office of the Office of Price Administration, or with the Price Panel of the appropriate War Price and Rationing Board.

(q) *Definitions and explanations.* When used in this Order No. G–7, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling anthracite of the sizes set forth in the Schedules herein, and does not include a producer or distributor making sales at or from a mine, a preparation plant operated as an adjunct of any mine, or a briquette plant.

(4) "Pennsylvania anthracite" means all coal produced in the Lehigh Schuylkill and Wyoming regions in the State of Pennsylvania.

(5) "Coal Area 1" includes the following portions of the Commonwealth of Pennsylvania: Philadelphia County; Delaware County; the Townships of Upper Southampton, Lower Southampton, Northampton, Warminster, Warwick, and the Boroughs of Ivyland, in Bucks County; and the Townships of Lower Moreland, Upper Moreland, Abington, Cheltenham, Horsham, Upper Dublin, Lower Gwynnedd, Whitpain, Whitemarsh, Springfield, Lower Merion, and the Boroughs of Bryn Athyn, Hatboro, Rockledge, Jenkintown, Ambler and Narberth, in Montgomery County.

(6) "Direct-delivery", except with respect to sales in 50 lb. paper bags or 100 lb. lots, means delivery to the buyer's bin or storage space by dumping or chuting directly from the seller's truck or vehicle or, where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck. "Direct-delivery" in 50 lb. bags or 100 lb. lots shall mean depositing in buyer's bin or other storage space designated by buyer.

(7) "Carry" and "wheel" refer to the movement of coal to buyer's bin or storage space in baskets or other containers, or by wheelbarrow or barrel, from seller's truck or vehicle, or from the point nearest and most accessible to the buyer's bin or storage space at which the coal is discharged from seller's truck in the course of "direct-delivery".

(8) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the yard, dock, barge, car, or at a place of business of the seller other than at seller's truck or vehicle.

(9) "Wholesale yard sales" means sales from yards of dealers who normally sold exclusively to equipped dealers.

(10) "Equipped dealer" means a person who purchases coal for resale and who has a yard or terminal facilities for storing and handling solid fuels.

(11) "Delivered at dealer's yard" as applied to sales of bagged coal in 18 lb. paper bags, means physical transfer at the dealer's yard to the purchaser's truck or other vehicle.

(12) "Delivered to retail stores" as applied to sales of bagged coal in 18 lb.

or 25 lb. bags, means deposit in that part of the store designated by the purchaser.

(13) "Sales to ultimate consumer" as applied to bagged coal in 18 lb. or 25 lb. bags, means sales by dealers, other than sales at a dealer's yard whether or not delivered to the consumer's premises.

(14) The sizes of Pennsylvania anthracite described as broken, egg, stove, nut, pea, buckwheat, rice, barley, buckwheat #4 and screenings shall refer to the same sizes of the same fuel as were sold and delivered in Coal Area I with such designation during December 1941.

(15) Except as otherwise provided herein, or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation 122 shall apply to terms used herein.

(r) *Effect of order on Revised Maximum Price Regulation No. 122.* This order shall supersede Revised Maximum Price Regulation No. 122, except as to any sales or deliveries of solid fuels not specifically subject to this order.

(s) *Effect of order on Order No. G–7 as originally issued and amended, and on Order No. G–23.* Order No. G–7 under Revised Maximum Price Regulation No. 122 as issued on May 4, 1943, and amended by Amendment No. 1 issued on May 25, 1943, is hereby revoked in full as of the effective date of this order. This order also supersedes Order No. G–23 issued under that regulation on November 24, 1943, to the extent that Order No. G–23 was applicable to Order No. G–7.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date. This revised order shall become effective December 13th, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250; 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 11th day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–5971; Filed, April 26, 1944; 3:56 p. m.]

[Region II Rev. Order G–7 Under RMPR 122, Amdt. 1]

PENNSYLVANIA ANTHRACITE IN DESIGNATED AREAS IN PENNSYLVANIA

Amendment No. 1 to Revised Order No. G–7 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Pennsylvania anthracite delivered by dealers in Philadelphia County, Delaware County and designated townships and boroughs in Bucks and Montgomery Counties, Commonwealth of Pennsylvania, Coal Area I.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, and for the period commencing with the effective date of this amendment and expiring on midnight April 30, 1944, Revised Order No. G–7 is amended in the following respects:

1. Any dealer making sales of anthracite subject to Revised Order No. G–7 may increase the maximum prices specified therein as follows:

(a) For direct-delivery sales, in quantities of ½ ton or more, subject to Schedule I in paragraph (d), there may be added 35¢ per net ton. For sales of fractions of a net ton, but not less than ½ ton, dealers may take a proportionate increase based upon the per net ton increase.

(b) For yard sales in quantities of ½ ton or more, subject to Schedule II in paragraph (e), there may be added 10¢ per net ton. For sales of fractions of a net ton, but not less than ½ ton, dealers may take a proportionate increase based upon the per net ton increase.

2. The maximum prices established by Revised Order No. G–7 for sales in units under ½ ton shall remain unchanged, whether the sale be in bulk or in bags.

3. At the termination of this amendment on midnight April 30, 1944, all dealers subject to Revised Order No. G–7 shall revert to the schedules of prices in effect immediately prior to the issuance of this amendment.

This Amendment No. 1 to Revised Order No. G–7 shall become effective on March 6, 1944 and, unless earlier revoked or modified, shall expire on midnight April 30, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 6th day of March 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–5972; Filed, April 26, 1944; 3:57 p. m.]

[Region II Rev. Order G–26 Under RMPR 122, Amdt. 3]

Amendment No. 3 to Revised Order No. G–26 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Permitted increases in maximum prices for "Colonial", "Salem Hill", and other specified anthracite sold subject to designated area dollars-and-cents orders.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by §§ 1340.260 and 1340.259 (a) (1) of Revised Maximum Price Regulation No. 122, Revised Order No. G–26 is amended in the following respects:

1. The opening words of subparagraph (3) of paragraph (a), now reading, "*Conditions and limitations, commingling:* To be eligible for the increases authorized by this order, * * *" are amended to read as follows:

(3) *Conditions and limitations, commingling:* To be eligible for the increases authorized by paragraph (a) of this order, * * *

2. Paragraph (b) is redesignated paragraph (c), paragraph (c) is redesignated paragraph (d), paragraph (d) is redesignated paragraph (e), paragraph (e) is redesignated paragraph (f), paragraph (f) is redesignated paragraph (g).

3. A new paragraph (b) is inserted to read as follows:

(b) *Alternative pricing provision, application for a price.* Dealers making sales of the anthracite specified in paragraph (a) (1), in communities subject to the area dollars-and-cents orders listed in paragraph (d), who prefer to commingle such anthracite with other anthracite and not to keep it separate in storage and delivery, and who would thereby not be eligible to take the automatic increases permitted under paragraph (a) hereof, may apply to the New York Regional Office of the Office of Price Administration for adjustment of their maximum prices for all anthracite sales to compensate for the increased cost of such specified anthracite. An application may be filed between the first and tenth day of each month based upon the proportions of anthracite having different mine costs received during the previous calendar month and should request an adjusted price for a one-month period. Such application shall be in writing and set forth the following:

(i) Total tonnage of all anthracite received by the dealer during the previous calendar month.

(ii) Tonnage of anthracite specified in paragraph (a) (1) received during the previous calendar month, by size and kind.

(iii) State separately the tonnage of any higher cost anthracite received during the previous calendar month and subject to Regional Order No. G–34 under Revised Maximum Price Regulation No. 122, identifying such in the manner described therein.

(iv) Proposed increase above area ceiling price.

(v) Any other pertinent information the Regional Administrator may request.

The Regional Administrator will either grant or deny the application, in whole or in part, in the light of the estimated average increase in supplier's maximum prices for anthracite, based on dealer's total anthracite receipts during the previous calendar month, as compared with supplier's maximum prices established by § 1340.200 (a) (1) of Maximum Price Regulation No. 112. The order may incorporate appropriate provisions for recalculation of the permitted increase based upon changing mine costs.

This Amendment No. 3 to Revised Order No. G–26 shall become effective April 28, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of April 1944.

DANIEL P. WOOLLEY,
Regional Administrator.

[F. R. Doc. 44–5974; Filed, April 26, 1944; 3:57 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Rev. General Order 51 were filed with the Division of the Federal Register on April 26, 1944.

REGION I

Boston Order No. 4–F, filed 9:51 a. m.
Concord Order No. 12, Amendment No. 1, filed 1:44 p. m.

REGION II

Albany Order No. P–2, filed 1:57 p. m.
Buffalo Order No. 1–F, Amendment No. 2, filed 2:00 p. m.
Buffalo Order No. 2–F, Amendment No. 2, filed 9:48 a. m.
Binghamton Order No. 1–F, Amendment No. 3, filed 1:47 p. m.
Camden Order No. 1–F, filed 9:51 a. m.
Camden Order No. 1–F, Amendment No. 1, filed 9:52 a. m.
Camden Order No. 1–F, Amendment No. 2, filed 9:52 a. m.
Camden Order No. 1–F, Amendment No. 3, filed 9:48 a. m.
Maryland Order No. P–1, Amendment No. 3, filed 1:50 p. m.
Newark Order No. 1–W, filed 1:56 p. m.
New York Order No. 1–F, Amendment No. 4, filed 1:54 p. m.
Philadelphia Order No. P–2, filed 1:57 p. m.
Scranton Order No. P–2, filed 1:57 p. m.
Syracuse Order No. 1–F, Amendment No. 2, filed 1:50 p. m.
Williamsport Order No. 1–F, Amendment No. 3, filed 1:55 p. m.
Williamsport Order No. W–1, filed 1:45 p. m.
Williamsport Order No. W–2, filed 1:46 p. m.
Williamsport Order No. W–3, filed 1:45 p. m.
Wilmington Order No. 2–F, filed 1:50 p. m.
Wilmington Order No. 2–F, Amendment No. 1, filed 1:51 p. m.
Wilmington Order No. P–1, Amendment No. 2, filed 1:51 p. m.

REGION III

Cincinnati Order No. 1–F, Amendment No. 27, filed 1:47 p. m.
Cincinnati Order No. 1–W, filed 1:43 p. m.
Cincinnati Order No. 2–W, filed 1:43 p. m.
Cincinnati Order No. 2–F, Amendment No. 20, filed 1:46 p. m.
Charleston Order No. 1–F, Amendment No. 19, filed 9:53 a. m.
Charleston Order No. 1–F, Amendment No. 20, filed 9:54 a. m.
Charleston Order No. 1–F, Amendment No. 21, filed 9:49 a. m.
Charleston Order No. 3–F, Amendment No. 16, filed 9:55 a. m.
Charleston Order No. 3–F, Amendment No. 17, filed 9:52 a. m.
Charleston Order No. 6–F, Amendment No. 9, filed 9:55 a. m.
Charleston Order No. 6–F, Amendment No. 10, filed 9:53 a. m.
Charleston Order No. 29, Amendment No. 2, filed 9:53 a. m.
Charleston Order No. 24, Amendment No. 1, filed 9:56 a. m.
Charleston Order No. 35, Amendment No. 1, filed 9:56 a. m,
Charleston Order No. 36, Amendment No. 1, filed 9:56 a. m.
Charleston Order No. 37, Amendment No. 1, filed 9:57 a. m.
Columbus Order No. 3–F, Amendment No. 18, filed 9:57 a. m.
Columbus Order No. 7–F, Amendment No. 18, filed 1:55 p. m.
Columbus Order No. 8, Amendment No. 6, filed 9:48 a. m.
Columbus Order No. 9, Amendment No. 5, filed 9:48 a. m.
Detroit Order No. 1–F, Amendment No. 11, filed 1:47 p. m.
Lexington Order No. 1–F, Amendment No. 26, filed 1:59 p. m.
Lexington Order No. 3–F, Amendment No. 17, filed 1:59 p. m.
Lexington Order No. 2–F, Amendment No. 19, filed 1:59 p. m.
Louisville Order No. 1–F, Amendment No. 27, filed 10:03 a. m.
Louisville Order No. 2–F, Amendment No. 21, filed 10:01 a. m.
Louisville Order No. 3–F, Amendment No. 14, filed 10:03 a. m.
Indianapolis Order No. 18, Amendment No. 1, filed 9:58 a. m.
Indianapolis Order No. 19, Amendment No. 1, filed 9:59 a. m.
Indianapolis Order No. 20, Amendment No. 1, filed 9:59 a. m.
Indianapolis Order No. 21, Amendment No. 1, filed 9:59 a. m.
Indianapolis Order No. 22, Amendment No. 1, filed 9:59 a. m.
Indianapolis Order No. 23, Amendment No. 1, filed 10:01 a. m.
Indianapolis Order No. 24, Amendment No. 1, filed 10:01 a. m.
Indianapolis Order No. 25, Amendment No. 1, filed 10:01 a. m.
Saginaw Order No. 19, Amendment No. 2, filed 9:57 a. m.

REGION IV

Atlanta Order No. 1–F, Amendment No. 11, filed 2:00 p. m.
Atlanta Order No. 5–F, Amendment No. 8, filed 2:00 p. m.
Atlanta Order No. 6–F, Amendment No. 2, filed 2:01 p. m.
Charlotte Order No. 12, Amendment No. 2, filed 10:03 a. m.
Jacksonville Order No. 2–W, Amendment No. 1, filed 9:50 a. m.
Jacksonville Order No. 3–F, Amendment No. 4, filed 10:05 a. m.
Montgomery Order No. 1–W, Amendment No. 2, filed 1:44 p. m.
Richmond Order No. 5–F, filed 2:01 p. m.
Richmond Order No. 14, Amendment No. 3, filed 2:02 p. m.
Roanoke Order No. 11, Amendment No. 1, filed 1:45 p. m.
Savannah Order No. 1–F, Amendment No. 32, filed 10:03 a. m.
Savannah Order No. 2–F, Amendment No. 27, filed 10:04 a. m.
Savannah Order No. 3–F, Amendment No. 25, filed 10:04 a. m.
Savannah Order No. 4–F, Amendment No. 24, filed 10:04 a. m.
Savannah Order No. 5–F, Amendment No. 25, filed 10:04 a. m.
Savannah Order No. 6–F, Amendment No. 1, filed 10:05 a. m.

REGION V

Dallas Order No. 1–F, Amendment No. 13, Filed 10:05 a. m.
Houston Order No. 12, Amendment No. 1, Filed 9:50 a. m.
Houston Order No. 13, Amendment No. 1, Filed 9:50 a. m.
New Orleans Order No. 2–F, Amendment No. 14, Filed 1:52 p. m.
Oklahoma City Order No. 3–F, Amendment No. 14, Filed 10:06 a. m.
St. Louis Order No. 1–W, Amendment No. 1, Filed 1:51 p. m.
St. Louis Order No. 2–W, Amendment No. 1, Filed 1:52 p. m.
St. Louis Order No. G–13, Amendment No. 1, Filed 1:51 p. m.
St. Louis Order No. G–14, Amendment No. 1, Filed 1:52 p. m.
St. Louis Order No. G–16, Amendment No. 1, Filed 1:52 p. m.
Wichita Order No. 3–F, Amendment No. 6, Filed 10:06 a. m.

REGION VI

Duluth-Superior Order No. 1–F, Amendment No. 13, Filed 1:55 p. m.
Green Bay Order No. 2–F, Amendment No. 11, Filed 1:52 p. m.
Green Bay Order No. 3–F, Amendment No. 5, Filed 1:54 p. m.
Milwaukee Order No. 1–W, Amendment No. 1, Filed 1:44 p. m.
Sioux City Order No. 2–F, Amendment No. 11, Filed 1:54 p. m.

REGION VIII

Phoenix Order No. 10, Amendment No. 3, Filed 1:47 p. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLOCK,
Secretary.

[F. R. Doc. 44–6049; Filed, April 28, 1944; 11:22 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File Nos. 70–836, 70–884]

COLUMBIA GAS & ELECTRIC CORP. AND CONSOLIDATED NATURAL GAS CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Echange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 26th day of April 1944.

Notice is hereby given that applications or declarations have been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Columbia Gas & Electric Corporation (Columbia Gas) and by Consolidated Natural Gas Company (Consolidated), both registered holding companies.

Notice is further given that any interested person may, not later than May 11, 1944, at 10:00 a. m., e. w. t., request the Commission in writing that a hearing be held on such matters, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, said applications or declarations, as filed or as amended, may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said Act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said applications or declarations, which are on file in the office of the said Commission, for a statement of the transactions therein proposed, which are summarized below:

Columbia Gas and Consolidated propose to cause their respective subsidiaries, The Ohio Fuel Gas Company (Ohio Fuel) and The East Ohio Gas Company (East Ohio) to effectuate an exchange of certain natural gas production properties and equipment, as follows:

Ohio Fuel will transfer to East Ohio all of the former's 74 natural gas wells with appurtenant mineral rights, operated and unoperated leaseholds, in Jack-

son and Plain Townships, Stark County, Ohio, together with five gas purchase contracts and all the land, rights of way, and related equipment and structures in said townships used in the operation, production and delivery of gas from these wells; East Ohio will transfer to Ohio Fuel all of the former's 88 natural gas wells with appurtenant mineral rights and operated leaseholds in Ashland, Conshocton, Holmes, Knox, Medina and Wayne Counties, Ohio, together with three gas purchase contracts, and all the land, rights of way, and related equipment and structures used in the operation, production and delivery of the gas from these wells and the buildings, piping and equipment comprising and appurtenant to East Ohio's Shreve Compressor Station, situated in Clinton Township, Wayne County, Ohio. In connection therewith and in order to equalize the exchange, East Ohio will pay Ohio Fuel the sum of $89,997 in cash and deliver 1,648,647 Mcf of natural gas to Ohio Fuel at the rate of approximately 1,000,000 Mcf per year.

According to the applicants, the proposed transactions have been authorized by the Public Utilities Commission of Ohio and are for the purpose of "effecting improvements in the location and delivery capacity of the properties of the respective companies in accordance with the suggestions of the War Production Board for developing and maintaining adequate natural gas supplies for necessary uses in Ohio and other Appalachian areas".

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6032; Filed, April 28, 1944; 10:08 a. m.]

[File No. 54-43]

GREAT LAKES UTILITIES CO.

ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pa., on the 27th day of April 1944.

The Commission having by order dated March 31, 1942, pursuant to section 11 of the Public Utility Holding Company Act of 1935, approved a plan of liquidation filed by Great Lakes Utilities Company ("Great Lakes") providing, among other things, for the liquidation of all the assets of Great Lakes, and for the subsequent dissolution of Great Lakes; and said order having provided that the maturity date of Great Lakes' outstanding First Lien Collateral Trust Gold Bonds, 5½% Series due 1942, be extended to May 1, 1943, and that upon a showing of due diligence and subject to the approval of the Commission and the court, Great Lakes should have the right to extend the maturity date of the bonds from May 1, 1943, to May 1, 1944; and

The Commission, upon application of Great Lakes, having by order dated April 28, 1943, approved the extension of the bond maturity from May 1, 1943, to May 1, 1944, and the extension of the maturity of said bonds having also been approved by the United States District Court for the Eastern District of Pennsylvania; and

Great Lakes having filed an application for the approval of amendments to the section 11 (e) plan heretofore approved regarding (1) the extension of the maturity date of its First Lien Collateral Trust Gold Bonds from May 1, 1944, to May 1, 1945, (2) the postponement of the date of payment of interest on such bonds from May 1, 1944, to May 1, 1945, and (3) the payment on the extended maturity date of interest on the interest accrued and unpaid upon such bonds on November 1, 1942, and on each May 1 and November 1 thereafter, from each of said respective dates to the date of payment of such interest; and

Great Lakes having requested that the Commission apply to the United States District Court for the Eastern District of Pennsylvania, pursuant to the provisions of section 11 of the act, to enforce and carry out, in accordance with the provisions of subsection (f) of section 18 of said act, the terms and provisions of the amendments; and

A public hearing having been held after appropriate notice, and an opportunity for hearing having been given to all security holders of Great Lakes and to Great Lakes and to any other persons desiring to be heard at said hearing; and Albert L. Sylvester, a bondholder of Great Lakes, having appeared at said hearing and having participated therein; and a trial examiner's report, briefs and oral argument having been waived, and the Commission having considered the record and having made and filed its findings and opinion herein; and

The Commission having found that said amendments to the section 11 (e) plan are necessary and appropriate to effectuate the provisions of section 11 of the Public Utility Holding Company Act of 1935, and are fair and equitable to the persons affected thereby,

It is ordered, That said amendments to the section 11 (e) plan be and hereby are approved, subject to the terms and conditions prescribed in Rule U-24, and to the following additional conditions:

1. That Great Lakes shall mail a copy of our findings and opinion herein to each of its security holders, together with a copy of such Notice of Hearing as the Court may direct.

2. Rule U-9 shall not apply to Great Lakes Utilities Company, or to any subsidiary company thereof, except upon further order of the Commission.

It is further ordered, That counsel for the Commission be, and they are hereby authorized and directed to make application forthwith on behalf of the Commission to the United States District Court for the Eastern District of Pennsylvania to enforce and carry out the terms and provisions of the amendments, pursuant to the provisions of section 11 (e) of the act and in accordance with the provisions of subsection (f) of section 18 thereof and the request of Great Lakes.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 44-6033; Filed, April 28, 1944; 10:08 a. m.]

SURPLUS WAR PROPERTY ADMINISTRATION.

SALE OF CONTRACT TERMINATION INVENTORIES

STATEMENT OF POLICIES TO BE FOLLOWED BY GOVERNMENT AGENCIES

The selling and pricing policies set forth below shall be followed by all agencies of the Federal Government having jurisdiction over the termination of Government contracts. Their purpose is to support and encourage the contracting officers of such procuring agencies (1) to liquidate promptly, before and during contract termination proceedings, the Government's interest in connection with property obtained to fulfill a Government contract but not now needed for the performance of the contract, and (2) to move as much of this property as possible into consumption channels during the current period of urgent demand, while still protecting the public interest.

The public interest embraces not only financial considerations but also the responsibility for insuring continuous production during the war and a healthy economy after the war. Speedy clearance of termination property is consistent with this interest.

The policy set forth herein may require modification from time to time as the situation changes.

I. *Types of property covered.* The policies enumerated herein shall, with the exceptions noted below, cover the following types of property becoming available for disposition under the termination or partial termination of a Government contract:

(a) Property owned by a contractor or subcontractor with respect to which the contractor or subcontractor has a claim against the Government (either directly or through another contractor or subcontractor) as part of his termination settlement claim.

(b) Property owned by the Government but in the custody of a contractor or subcontractor.

The policies enumerated herein shall not, however, apply to either of the following excepted classes of property:

(1) Completed articles deliverable to the Government under a prime contract.

(2) Machinery, equipment and similar property commonly treated as capital equipment.

With respect to such excepted classes of property, particularly capital equipment becoming available on contract

terminations, it is not intended to discourage sales to or by the contractors. They are excepted because the policies herein enumerated are not as directly applicable to their disposal as to that of such property as raw and semi-processed materials, component end products and parts, jigs, dies, fixtures and small tools, and the like. Procuring agencies shall continue to fix their own price policies on the disposal of the excepted classes of property until otherwise directed.

The policies enumerated herein do not relate to the disposal of surplus Government-owned property other than that becoming available for disposition as the result of contract terminations. Regulations are in preparation for the reporting of such property as surplus to the disposal agencies named in Executive Order No. 9425. Meanwhile existing practices shall be followed except to the extent that specific arrangements have been or will be made with particular agencies.

II. *Types of disposal covered.* The policies herein enumerated shall apply to the disposition of the property covered, as outlined above, whether the procuring agency:

(a) Allows the contractor or subcontractor to keep the property at some agreed upon value, which will be reflected in the contract settlement;

(b) Allows the contractor or subcontractor to sell the property at some agreed upon value, which will be reflected in the contract settlement; or

(c) Takes over the property and sells it itself.

III. *General principles.* The specific policies enumerated herein should be read in the light of the following basic principles:

(1) Termination proceedings and the clearance of plants should be handled as speedily as possible.

(2) Retention of property by the holding contractor or subcontractor, or sales to other buyers who will themselves consume the property is desirable.

(3) Prices for property sold for resale should be sufficiently high to discourage long-term holding or quick turnover at excessive profits.

(4) Within these limits contracting officers, and their representatives, are urged to act boldly and to exercise wide discretion in the prompt disposal of property, and will have the full support of SWPA in so doing.

IV. *Property having no use except as scrap.* The many groups who have analyzed the problem of contract termination have uniformly agreed that much of the property involved is of such special nature, or has been processed in such a way, as to admit of no possibility of use in its existing form. There is an additional amount which might be used if time permitted an extended search for an appropriate use, or if use restrictions could be relaxed. The necessity for prompt clearance of plants severely limits the amount of effort and time that can be expended on such a search. It is essential to make an early determination that property either offers reasonable possibility of sale, or should be scrapped.

A. *Procedures for determining what property should be sold as scrap.* Primary responsibility for making this determination rests with the procuring agencies. Each agency shall determine and operate under internal procedures adapted to its peculiar problems and organization. It is suggested, however, that the procedures of the procuring agencies should provide for referral to a reviewing authority before scrapping if the cost of any item, or group of substantially similar items, which it is proposed to scrap, is estimated to be $50,000 or more. This reviewing authority may be either local, regional, or departmental boards of review or another officer designated by the procuring agency.

The Surplus War Property Administrator proposes to have the disposal agencies under Executive Order No. 9425 work closely with the procuring agencies in this operation and, at the earliest possible moment, provide a system of regional or local consultants, upon whom the contracting officers, review boards or other representatives of the procuring agencies can call for responsible advice and assistance in connection with questions concerning the scrapping of property.

B. *Procedure for selling and pricing property that has been determined to be scrap.* When property has been determined to be scrap in accordance with the above procedure, it shall be sold as follows, providing that all sales shall be made subject to applicable War Production Board and Office of Price Administration regulations:

(1) Sales of scrap are authorized at the best price obtainable in the judgment of the contracting officer (or the person to whom the procuring agency has delegated the power to approve the termination settlement) in any case where the entire termination claim of the contractor or subcontractor in question, before disposal credits, is less than $10,000.

(2) Whenever the entire termination claim of the contractor or subcontractor in question, before disposal credits, is $10,000 or more, sales of scrap shall be made in accordance with the following policies:

(a) The contracting officer, or his representative, shall determine, as nearly as may be possible by reasonable effort within a reasonable time, the going price of the type of scrap in question by reference to published trade indicators or inquiry among Government agencies, dealers or other informed sources, taking into account transportation cost and sundry other charges.

(b) If it is possible to realize this price without competitive bidding the contracting officer will approve the sale.

(c) If it is not possible to obtain this price the contracting officer will arrange for sale of the property after competitive bids, reserving the right to reject all bids if in his judgment an inadequate price is offered.

(d) All sales of such scrap, whatever method of sale is adopted, shall be subject to the buyer's warranty that the property will in fact be used as scrap. A warranty substantially as follows is recommended:

> The purchaser represents and warrants to the United States that the property covered by this agreement was offered as scrap, purchased by him as scrap, and that he will sell and ship or use it as scrap either in its existing condition or after further preparation and only in conformity with all applicable regulations and orders of the Office of Price Administration and the War Production Board.

(e) By subsequent regulations, the Surplus War Property Administration will provide for reports of scrap sales to the disposal agencies, and for a mechanism for stopping of sales in any area where prices drop to unsatisfactory levels.

V. *Usable property.* During the present phase of the war a principal objective should be to insure the earliest possible use of usable property. The surest way to accomplish this objective would be to sell the property directly to manufacturing establishments or others having current permitted uses for it. It must be recognized, however, that in many cases, suppliers, dealers, or others engaged in distribution will be willing to buy surplus goods at reasonable prices.

The procuring agencies shall therefore exercise the following authority with respect to the sale of usable property, providing that all sales shall be made subject to applicable War Production Board and Office of Price Administration regulations:

(1) Sales of any quantity of any item, or group of items, are authorized at the best price obtainable in the judgment of the contracting officer (or the person to whom the procuring agency has delegated the power to approve the termination settlement) in any case where the entire termination claim of the contractor or subcontractor in question, before disposal credits, is less than $10,000.

(2) Whenever the entire termination claim of the contractor or subcontractor in question, before disposal credits, is $10,000 or more sales shall be made in accordance with the following policies:

(a) If the property is a crude or simple raw material, such as raw cotton, pig iron, electrolytic copper or sulphur, which is freely traded in and for which there is a recognizable market price:

(1) Sales should be authorized whenever the going market price, as nearly as it can be determined by reasonable effort within a reasonable time, can be obtained, taking into account transportation cost and sundry other charges.

(2) Whenever such going market price cannot be obtained the property should be reported to the appropriate disposal agency for disposition, except that if the quantity of the item involved is less than a minimum commercial quantity, it should be sold at the best price obtainable.

The disposal agencies under Executive Order No. 9425 will be requested to prepare and make available to the procuring agencies at the earliest possible date, lists of items considered to belong in the category described in paragraph 2 (a), together with the quantities thereof to be regarded as minimum commercial quantities.

(b) If the property is not in the category described in paragraph 2 (a) contracting officers and their representatives are urged to make an active effort to accomplish sales in accordance with the policies stated below, after due consideration has been given to any reasonably obtainable information as to market values:

(1) Sales of nominal quantities (single items, or groups of items where the cost of all substantially similar items at any one location does not exceed $1,000) should be made at the best price obtainable, without review.

(2) Sales should be made to any buyer at the best price obtainable in excess of 75% of (a) cost or (b) the price which that buyer would have to pay if he bought an equivalent quantity from a normal source of supply, whichever is lower.

(3) Sales of property which cannot be sold within a reasonable period of time on the terms stated in paragraph (b) (2) above should be made to a buyer who will consume the property in the United States for manufacturing or maintenance or repair purposes, and who will agree that if he does not so consume it, he will not resell it at a profit, at the best price obtainable. This policy shall prevail until the Surplus War Property Administration by specific direction establishes such other sales procedures or policies (which may include a determination not to sell) with respect to specific items, such as standard consumer articles, as in its judgment are required to maintain orderly markets.

Wherever referred to in this statement, sale "at the best price obtainable" implies a reasonable effort to test the market, having due regard for the circumstances, the nature, condition, quantity and location of the particular property and the general principles herein stated.

Washington, D. C., April 21, 1944.

W. L. CLAYTON,
Administrator.

[F. R. Doc. 44-6030; Filed, April 28, 1944; 10:23 a. m.]

WAR COMMUNICATIONS BOARD.

[Order 30]

TRAFFIC COORDINATOR AND ASSISTANT TRAFFIC COORDINATOR

ESTABLISHMENT OF OFFICES AND DEFINITIONS OF DUTIES

Correction

In F. R. Doc. 44-5821, appearing at page 4455 of the issue for Wednesday, April 26, 1944, in the paragraph headed "Authorization for investigations", the eleventh line should read "the paragraph headed 'Duties' hereof, and, upon the Board's".

WAR PRODUCTION BOARD.

HUTTON-JONES ELECTRIC COMPANY, INC.

CONSENT ORDER

Hutton-Jones Electric Company, Inc., located at 170 Pine Avenue, S. E., Warren, Ohio, an Ohio corporation, is engaged in the business of electrical construction, wiring, fixtures and supplies. From January 1, 1943, to September 1, 1943, the company in many instances applied a preference rating for the purchase of copper wire when the preference rating so used had not been extended or assigned to it, and in other instances extended preference ratings for the purchase of copper wire in quantities exceeding those contained in the preference ratings extended to it, thereby securing copper wire which had been sold and delivered on unrated orders. The aforementioned transactions were violations of Priorities Regulation No. 1 and Priorities Regulation No. 3. Hutton-Jones Electric Company, Inc., admits the violations and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of Hutton-Jones Electric Company, Inc., the Regional Compliance Chief and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered*, That:

(a) Hutton-Jones Electric Company, Inc., its successors or assigns, are hereby prohibited from purchasing and receiving or selling and delivering new copper wire of any size, except to complete deliveries under uncompleted orders or contracts on the books of the company as of the date of issuance of this order, or except on orders rated AA-2 or higher, unless hereafter specifically authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Hutton-Jones Electric Company, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any order or regulation of the War Production Board, except insofar as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on the date of issuance and shall expire sixty days from the date thereof.

Issued this 27th day of April 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-6028; Filed, April 27, 1944; 4:25 p. m.]